

## APPENDIX A

The apparent violations identified in this Appendix generally arise from one of the following two fact patterns: (1) the applicant failed to submit a Long-Form Application; or (2) the applicant submitted a Long-Form Application but subsequently withdrew its application by notifying the Commission of its intent to default on one or more CBGs. To the extent that an entry below involves a different fact pattern, the relevant facts are described in the entry. Unless otherwise specially stated below, all of the fact patterns described in this Appendix represent apparent violations of section 1.21004(a) of the Commission's rules and the requirements established specifically for Auction 904 in the *Rural Digital Opportunity Fund Order* and the *Auction 904 Procedures Public Notice*.<sup>1</sup>

1. **AMG Technology Investment Group, LLC (AMG) d/b/a Nextlink Internet; FRN: 0021701891; File No.: EB-IHD-22-00033835; NAL/Acct No.: 202232080012.** AMG provides fixed wireless and fiber internet services to residential, business and governmental entities located in rural areas.<sup>2</sup> AMG timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>3</sup> On August 16, 2021, and April 23, 2021, AMG notified the Commission of its intent to default on its CBGs, including one CBG subject to forfeiture in New Mexico.<sup>4</sup> The Wireline Competition Bureau (WCB) declared AMG to be in default on July 26, 2021, and January 28, 2022, including one CBG subject to forfeiture and referred the company to the Enforcement Bureau (EB) for enforcement action.<sup>5</sup> The Commission finds that AMG apparently committed one violation by defaulting on one CBG subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>6</sup> AMG's CBG in default subject to forfeiture amounted to \$75,554.00, thereby capping the maximum possible forfeiture at \$11,333.10.<sup>7</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>8</sup> the Commission finds that the forfeiture amount of \$3,000.00 against AMG is appropriate here.

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<sup>1</sup> 47 CFR § 1.21004(a); *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735, paras. 114-15; *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6178, paras. 321-22.

<sup>2</sup> AMG Technology Investment Group, LLC d/b/a NextLink Internet, *About*, <https://www.nextlinkinternet.com> (last visited May 10, 2022).

<sup>3</sup> See *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes: Winning Bidders Announced*; *FCC Form 683 Due January 29, 2021*, AU Docket No. 20-34, *et al.*, Public Notice, 35 FCC Rcd 13888, 13904-05, Attach. A: Winning Bidder Summary (WCB/OEA 2020) (*Winning Bidders Public Notice*).

<sup>4</sup> E-mail from Stephen E. Coran, Counsel to AMG Technology Investment Group, LLC d/b/a Nextlink Internet, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Aug. 16, 2021, 15:48 EDT). Exhibit A attached to the Coran E-mail lists the census blocks that were in default.

<sup>5</sup> *Rural Digital Opportunity Fund Bid Defaults Announced*, AU Docket No. 20-34, *et al.*, Public Notice, 36 FCC Rcd 11651, 11656, Attach. A: Bids in Default (WCB/OEA 2021) (*July 2021 Default Public Notice*); *Rural Digital Opportunity Fund Support for 5,254 Winning Bids Ready to be Authorized; Bid Defaults Announced*, AU Docket No. 20-34, *et al.*, Public Notice, DA 22-96, Attach. B: Bids in Default (WCB/OEA Jan. 28, 2022) (*January 2022 Default Public Notice*).

<sup>6</sup> *Rural Digital Opportunity Fund; Connect America Fund*, WC Docket Nos. 19-126 and 10-90, Report and Order, 35 FCC Rcd 686, 735-36, para. 115 (2020) (*Rural Digital Opportunity Fund Order*).

<sup>7</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default (describing the total amount of AMG's won support that is in default for the identified bids); *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of AMG's won support that is in default for the identified bids).

<sup>8</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

2. **Aspire Networks 2, LLC (Aspire); FRN: 0030311583; File No.: EB-IHD-22-00033836; NAL/Acct No.: 202232080013.** Aspire is a competitive local exchange carrier registered in Delaware and Minnesota that provides internet services to rural locations in Minnesota.<sup>9</sup> Aspire's parent company, Atlantic Engineering Group, Inc. (AEG), a Georgia company, was part of the AEG and Heron Broadband I (Consortium).<sup>10</sup> The Consortium timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>11</sup> The Consortium then assigned two CBGs to Aspire, which timely filed its Long-Form Application in Auction 904.<sup>12</sup> On February 16, 2021, Aspire notified the Commission of its intent to default on its two CBGs subject to forfeiture in Minnesota.<sup>13</sup> WCB declared Aspire to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>14</sup> The Commission finds that Aspire apparently committed two violations by defaulting on its CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>15</sup> Aspire's assigned CBGs in default subject to forfeiture amounted to \$6,470,222.30, thereby capping the maximum possible forfeiture at \$970,533.34, which is 15% of Aspire's defaulted support subject to forfeiture in Auction 904.<sup>16</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>17</sup> the Commission finds that the forfeiture amount of \$6,000.00 against Aspire is appropriate here.

3. **Bright House Networks Information Services (Florida), LLC (Bright House); FRN: 0010788453; File No.: EB-IHD-22-00033837; NAL/Acct No.: 202232080014.** Bright House is a limited liability company formed in Delaware.<sup>18</sup> Bright House and CCO Holdings, LLC (CCO) are subsidiaries of Charter Communications, Inc. (Charter).<sup>19</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>20</sup> In turn, CCO assigned Bright

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<sup>9</sup> See Office of the Minnesota Sec. State, *Business Records Search: Aspire Networks 2, LLC*, [mblsportal.sos.state.mn.us](https://mblsportal.sos.state.mn.us) (last visited May 10, 2022). See also Delaware Department of State: Division of Corporations: *Records Search: Aspire Networks 2, LLC*, <https://icis.corp.delaware.gov/ecorp/entitysearch/NameSearch.aspx> (last visited May 10, 2022).

<sup>10</sup> Aspire Networks 2, *About Us*, <https://www.aeg.cc> (last visited May 10, 2022).

<sup>11</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13912, Attach. A: Winning Bidder Summary.

<sup>12</sup> *417 Long-Form Applicants in the Rural Digital Opportunity Fund Phase I Auction (Auction 904)*, AU Docket No. 20-34, *et al.*, Public Notice, 36 FCC Rcd 4140 (WCB/OEA Feb. 18, 2021) (*417 Long-Form Applicants Public Notice*); Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904/>.

<sup>13</sup> Letter from Mr. Phillip R. Marchesiello, Counsel to Aspire Networks 2, LLC, and the Consortium of AEG and Heron Broadband I, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 16, 2020).

<sup>14</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default.

<sup>15</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>16</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default (describing the total amount of Aspire's won support that is in default for the identified bids).

<sup>17</sup> *Id.* at 736, para. 117.

<sup>18</sup> See Delaware Dept. State: Division of Corporations, *General Information Name Search: Bright House Networks Information Services (Florida), LLC*, <https://icis.corp.delaware.gov/ecorp/entitysearch/NameSearch.aspx> (last visited June 10, 2022).

<sup>19</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>20</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

House 131 CBGs.<sup>21</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain winning bids, including five CBGs subject to forfeiture assigned to Bright House.<sup>22</sup> WCB declared Bright House to be in default on January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>23</sup> The Commission finds that Bright House apparently committed five violations by defaulting on five CBGs subject to forfeiture, which places the company's base forfeiture at \$15,000.00.<sup>24</sup> Bright House's assigned CBGs in default subject to forfeiture amounted to \$72,254.10, thereby capping the maximum possible forfeiture at \$10,838.12, which is 15% of Bright House's defaulted support subject to forfeiture in Auction 904.<sup>25</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>26</sup> the Commission finds the forfeiture amount of \$10,838.12 against Bright House is appropriate here.

4. **BroadLife Communications, Inc. (BroadLife); FRN: 0030273015; File No.: EB-IHD-22-00033838; NAL/Acct No.: 202232080015.** BroadLife is an Alabama communications company incorporated in Delaware.<sup>27</sup> BroadLife was a member of the RDOF USA Consortium (RDOF USA).<sup>28</sup> RDOF USA timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>29</sup> In turn, RDOF USA assigned BroadLife twenty-four CBGs in Alabama and four CBGs in Kentucky.<sup>30</sup> On January 7, 2021, BroadLife notified the Commission of its intent to default on its four CBGs subject to forfeiture in Kentucky.<sup>31</sup> WCB declared BroadLife to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>32</sup> The Commission finds that BroadLife apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>33</sup> BroadLife's assigned CBGs in default subject to forfeiture amounted to \$30,333.80, thereby capping the maximum possible forfeiture at \$4,550.07, which is 15% of

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<sup>21</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>22</sup> See, e.g., E-mail from Maureen A. O'Connell, Vice President, Regulatory Affairs, Charter Communications, to Michael Janson, Director, Rural Broadband Auctions Task Force, Federal Communications Commission (Mar. 20, 2022, 16:13 EDT) (summarizing the intended defaults for the applicants assigned winning bids by CCO) (*Charter Summary Default E-mail*).

<sup>23</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default; *Rural Digital Opportunity Fund Support for 952 Winning Bids Ready to be Authorized; Bid Defaults Announced*, AU Docket No. 20-34, et al., Public Notice, DA 22-185, Attach. B: Bids in Default (WCB/OEA Mar. 10, 2022) (*March 2022 Default Public Notice*).

<sup>24</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>25</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Bright House's won support that is in default for the identified bids).

<sup>26</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>27</sup> See Alabama Secretary of State, *Business Entity Records BroadLife Communications, Inc.*, <https://arc-sos.state.al.us/cgi/corpdetail.mbr/detail?corp=637739> (last visited Apr. 29, 2022).

<sup>28</sup> E-mail from Gina Keeney, Counsel to BroadLife Communications Inc., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 7, 2021, 11:26 EDT) (*BroadLife Default Notice*).

<sup>29</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13924, Attach. A: Winning Bidder Summary.

<sup>30</sup> *BroadLife Default Notice*.

<sup>31</sup> *Id.*

<sup>32</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11657, Attach. A: Bids in Default.

<sup>33</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

BroadLife's defaulted support subject to forfeiture in Auction 904.<sup>34</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>35</sup> the Commission finds that the forfeiture amount of \$4,550.07 against BroadLife is appropriate here.

5. **Central Scott Telephone Company, Inc. (Central Scott); FRN: 0003722121; File No.: EB-IHD-22-00033839; NAL/Acct No.: 202232080016.** Central Scott is a telecommunications company providing local TV, internet and phone services in Eldridge, Iowa.<sup>36</sup> Central Scott's parent company, LICT Corporation (LICT), submitted its Short-Form Application to participate in Auction 904 on behalf of itself and its subsidiaries, was a successful bidder.<sup>37</sup> In turn, LICT assigned four CBGs to Central Scott.<sup>38</sup> On September 27, 2021, Central Scott notified the Commission of the company's intent to default on its CBGs subject to forfeiture.<sup>39</sup> WCB declared Central Scott to be in default on December 16, 2021, and referred the company to EB for enforcement action.<sup>40</sup> The Commission finds that Central Scott apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>41</sup> Central Scott's assigned CBGs in default subject to forfeiture amounted to \$70,312.40, thereby capping the maximum possible forfeiture at \$10,546.86, which is 15% of Central Scott's defaulted support subject to forfeiture in Auction 904.<sup>42</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>43</sup> the Commission finds that the forfeiture amount of \$10,546.86 against Central Scott is appropriate here.

6. **Charter Fiberlink – Alabama, LLC (CF Alabama); FRN: 0009563024; File No.: EB-IHD-22-00033840; NAL/Acct No.: 202232080017.** CF Alabama is a limited liability company formed in Delaware.<sup>44</sup> CF Alabama and CCO are subsidiaries of Charter.<sup>45</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>46</sup> In turn, CCO assigned CF

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<sup>34</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11657, Attach. A: Bids in Default (describing the total amount of BroadLife's won support that is in default for the identified bids).

<sup>35</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>36</sup> Central Scott Telephone, *Residential Services*, <https://centralscott.com/residential/residential-services> (last visited May 2, 2022).

<sup>37</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917, Attach. A: Winning Bidder Summary.

<sup>38</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>39</sup> E-mail from Alexander Stout, Counsel to Central Scott Telephone Company, Inc., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Sept. 27, 2021, 19:07 EDT).

<sup>40</sup> *Fifth Rural Digital Opportunity Fund Public Notice Announcing Support for Winning Bids Ready to be Authorized; Bid Defaults Announced*, AU Docket No. 20-34, *et al.*, Public Notice, Attach. B: Bids in Default (WCB/OEA Dec. 16, 2021) (*December 2021 Default Public Notice*).

<sup>41</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>42</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Central Scott's won support that is in default for the identified bids).

<sup>43</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>44</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>45</sup> *Id.*

<sup>46</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

Alabama 246 CBGs.<sup>47</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain winning bids, including six CBGs subject to forfeiture assigned to CF Alabama.<sup>48</sup> WCB declared CF Alabama to be in default on July 26, 2021, and March 10, 2022, and referred the company to EB for enforcement action.<sup>49</sup> The Commission finds that CF Alabama apparently committed six violations by defaulting on six CBGs subject to forfeiture, which places the company's base forfeiture at \$18,000.00.<sup>50</sup> CF Alabama's assigned CBGs in default subject to forfeiture amounted to \$57,262.40, thereby capping the maximum possible forfeiture at \$8,589.36, which is 15% of CF Alabama's defaulted support subject to forfeiture in Auction 904.<sup>51</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>52</sup> the Commission finds the forfeiture amount of \$8,589.36 against CF Alabama is appropriate here.

7. **Charter Fiberlink – Georgia, LLC (CF Georgia); FRN: 0009563222; File No.: EB-IHD-22-00033841; NAL/Acct No.: 202232080018.** CF Georgia is a limited liability company formed in Delaware.<sup>53</sup> CF Georgia and CCO are subsidiaries of Charter.<sup>54</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>55</sup> In turn, CCO assigned CF Georgia 172 CBGs.<sup>56</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including eight CBGs subject to forfeiture assigned to CF Georgia.<sup>57</sup> WCB declared CF Georgia to be in default on January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>58</sup> The Commission finds that CF Georgia apparently committed eight violations by defaulting on eight CBGs subject to forfeiture, which places the company's base forfeiture at \$24,000.00.<sup>59</sup> CF Georgia's assigned CBGs in default subject to forfeiture amounted to \$121,792.70, thereby capping the maximum possible forfeiture at \$18,268.91, which is 15% of CF

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<sup>47</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>48</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>49</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>50</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>51</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF Alabama's won support that is in default for the identified bids).

<sup>52</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>53</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>54</sup> *Id.*

<sup>55</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>56</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>57</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>58</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>59</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

Georgia's defaulted support subject to forfeiture in Auction 904.<sup>60</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>61</sup> the Commission finds the forfeiture amount of \$18,268.91 against CF Georgia is appropriate here.

8. **Charter Fiberlink – Michigan, LLC (CF Michigan); FRN: 0010069342; File No.: EB-IHD-22-00033842; NAL/Acct No.: 202232080019.** CF Michigan is a limited liability company formed in Delaware.<sup>62</sup> CF Michigan and CCO are subsidiaries of Charter.<sup>63</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>64</sup> In turn, CCO assigned CF Michigan 181 CBGs.<sup>65</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including 17 CBGs subject to forfeiture assigned to CF Michigan.<sup>66</sup> WCB declared CF Michigan to be in default on July 26, 2021, and March 10, 2022, and referred the company to EB for enforcement action.<sup>67</sup> The Commission finds that CF Michigan apparently committed 17 violations by defaulting on 17 CBGs subject to forfeiture, which places the company's base forfeiture at \$51,000.00.<sup>68</sup> CF Michigan's assigned CBGs in default subject to forfeiture amounted to \$218,019.20, thereby capping the maximum possible forfeiture at \$32,702.88, which is 15% of CF Michigan's defaulted support subject to forfeiture in Auction 904.<sup>69</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>70</sup> the Commission finds the forfeiture amount of \$32,702.88 against CF Michigan is appropriate here.

9. **Charter Fiberlink – Missouri, LLC (CF Missouri); FRN: 0005793922; File No.: EB-IHD-22-00033843; NAL/Acct No.: 202232080020.** CF Missouri is a limited liability company formed in Delaware.<sup>71</sup> CF Missouri and CCO are subsidiaries of Charter.<sup>72</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>73</sup> In turn, CCO assigned CF

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<sup>60</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF Georgia's won support that is in default for the identified bids).

<sup>61</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>62</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>63</sup> *Id.*

<sup>64</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>65</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>66</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>67</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11656-67, Attach. A: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>68</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>69</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF Michigan's won support that is in default for the identified bids).

<sup>70</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>71</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>72</sup> *Id.*

<sup>73</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

Missouri 276 CBGs.<sup>74</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including two CBGs subject to forfeiture assigned to CF Missouri.<sup>75</sup> WCB declared CF Missouri to be in default on July 26, 2021; January 28, 2022; and March 10, 2022, and referred the company to EB for enforcement action.<sup>76</sup> The Commission finds that CF Missouri apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>77</sup> CF Missouri's assigned CBGs in default subject to forfeiture amounted to \$53,734.60, thereby capping the maximum possible forfeiture at \$8,060.19, which is 15% of CF Missouri's defaulted support subject to forfeiture in Auction 904.<sup>78</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>79</sup> the Commission finds the forfeiture amount of \$6,000.00 against CF Missouri is appropriate here.

10. **Charter Fiberlink – Tennessee, LLC (CF Tennessee); FRN: 0009563396; File No.: EB-IHD-22-00033844; NAL/Acct No.: 202232080021.** CF Tennessee is a limited liability company formed in Delaware.<sup>80</sup> CF Tennessee and CCO are subsidiaries of Charter.<sup>81</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>82</sup> In turn, CCO assigned CF Tennessee 422 CBGs.<sup>83</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including 77 CBGs subject to forfeiture assigned to CF Tennessee.<sup>84</sup> WCB declared CF Tennessee to be in default on July 26, 2021; January 28, 2022; and March 10, 2022; and referred the company to EB for enforcement action.<sup>85</sup> The Commission finds that CF Tennessee apparently committed 77 violations by defaulting on 77 CBGs subject to forfeiture, which places the company's base forfeiture at \$231,000.00.<sup>86</sup> CF Tennessee's assigned CBGs in default subject to forfeiture amounted to \$3,649,185.70, thereby capping the maximum possible forfeiture at

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<sup>74</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>75</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>76</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11657, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>77</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>78</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF Missouri's won support that is in default for the identified bids).

<sup>79</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>80</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>81</sup> *Id.*

<sup>82</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>83</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>84</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>85</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11657-61, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>86</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

\$547,377.86, which is 15% of CF Tennessee's defaulted support subject to forfeiture in Auction 904.<sup>87</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>88</sup> the Commission finds the forfeiture amount of \$231,000.00 against CF Tennessee is appropriate here.

11. **Charter Fiberlink CCO, LLC (CF CCO); FRN: 0009958109; File No.: EB-IHD-22-00033845; NAL/Acct No.: 202232080022.** CF CCO is a limited liability company formed in Delaware.<sup>89</sup> CF CCO and CCO are subsidiaries of Charter.<sup>90</sup> In turn, CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>91</sup> In turn, CCO assigned CF CCO 554 CBGs.<sup>92</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including 23 CBGs subject to forfeiture assigned to CF CCO.<sup>93</sup> WCB declared CF CCO to be in default on July 26, 2021; January 28, 2022; and March 10, 2022; and referred the company to EB for enforcement action.<sup>94</sup> The Commission finds that CF CCO apparently committed 23 violations by defaulting on 23 CBGs subject to forfeiture, which places the company's base forfeiture at \$69,000.00.<sup>95</sup> CF CCO's assigned CBGs in default subject to forfeiture amounted to \$4,691,018.80, thereby capping the maximum possible forfeiture at \$703,652.82, which is 15% of CF CCO's defaulted support subject to forfeiture in Auction 904.<sup>96</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>97</sup> the Commission finds the forfeiture amount of \$69,000.00 against CF CCO is appropriate here.

12. **Charter Fiberlink VA-CCO, LLC (CF VA-CCO); FRN: 0010399053; File No.: EB-IHD-22-00033846; NAL/Acct No.: 202232080023.** CF VA-CCO is a limited liability company formed in Delaware.<sup>98</sup> CF VA-CCO and CCO are subsidiaries of Charter.<sup>99</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>100</sup> In turn, CCO assigned CF

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<sup>87</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF Tennessee's won support that is in default for the identified bids).

<sup>88</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>89</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>90</sup> *Id.*

<sup>91</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>92</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>93</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>94</sup> *July 2021 Default Public Notice* 36 FCC Rcd at 11661, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>95</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>96</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of CF CCO's won support that is in default for the identified bids).

<sup>97</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>98</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 4, 2022).

<sup>99</sup> *Id.*

<sup>100</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.



VA-CCO 38 CBGs.<sup>101</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of their intent to default on certain bids, including two CBGs subject to forfeiture assigned to CF VA-CCO.<sup>102</sup> WCB declared CF VA-CCO to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>103</sup> The Commission finds that CF VA-CCO apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>104</sup> CF VA-CCO's assigned CBGs in default subject to forfeiture amounted to \$115,551.00, thereby capping the maximum possible forfeiture at \$17,332.65, which is 15% of CF VA-CCO's defaulted support subject to forfeiture in Auction 904.<sup>105</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*,<sup>106</sup> the Commission finds the forfeiture amount of \$6,000.00 against CF VA-CCO is appropriate here.

13. **CNSP Internet, Inc. d/b/a NMSURF, Inc. (NMSURF); FRN: 0018795427; File No.: EB-IHD-22-00033847; NAL/Acct No.: 202232080024.** NMSURF is a New Mexico company located in Santa Fe, New Mexico.<sup>107</sup> NMSURF provides residential and business options for fixed wireless broadband internet, and VoIP.<sup>108</sup> NMSURF timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>109</sup> On December 15, 2020, NMSURF notified the Commission of its intent to default on all 20 of its CBGs subject to forfeiture.<sup>110</sup> WCB declared NMSURF to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>111</sup> The Commission finds that NMSURF apparently committed 17 violations by defaulting on 20 CBGs, of which 17 CBGs are subject to forfeiture, which places the company's base forfeiture at \$51,000.00.<sup>112</sup> NMSURF's CBGs in default subject to forfeiture amounted to \$23,203.20, thereby capping the maximum possible forfeiture at \$3,480.48, which is 15% of NMSURF's defaulted support subject to forfeiture in Auction 904.<sup>113</sup> Because the \$51,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity*

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<sup>101</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>102</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>103</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11661-62, Attach. A: Bids in Default.

<sup>104</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>105</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11661-62, Attach. A: Bids in Default (describing the total amount of CF VA-CCO's won support that is in default for the identified bids).

<sup>106</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>107</sup> NMSURF, *About Us*, <https://www.nmsurf.com/about-us/https://www.solarus.net/contact/> (last visited Apr. 29, 2022).

<sup>108</sup> *Id.* See also NMSURF, *Phone*, <https://www.nmsurf.com/phone/> (last visited Apr. 29, 2022).

<sup>109</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13921, Attach. A: Winning Bidder Summary.

<sup>110</sup> Letter from Albert Catanah, President and Chief Executive Officer, NMSURF, Inc., and Bryan Catanach, Vice President, NMSURF, Inc., to Federal Communications Commission (Dec. 15, 2020).

<sup>111</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11669-70, Attach. A: Bids in Default.

<sup>112</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>113</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11669-70, Attach. A: Bids in Default (describing the total amount of NMSURF's won support that is in default for the identified bids).

*Fund Order*,<sup>114</sup> the Commission finds that the forfeiture amount of \$3,480.48 against NMSURF is appropriate here.

14. **Cogeco US (Delmar), LLC (Cogeco US, formerly, Atlantic Broadband (Delmar), LLC) d/b/a Breezeline;**<sup>115</sup> **FRN: 0009596875; File No.: EB-IHD-22-00033848; NAL/Acct No.: 202232080025.** Cogeco US is a Delaware company that provides phone, television and internet services to residential, business and government customers.<sup>116</sup> Cogeco US timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>117</sup> On March 22, 2021, Cogeco US notified the Commission of its intent to default on two of its CBGs subject to forfeiture in Virginia.<sup>118</sup> WCB declared Cogeco US to be in default on July 26, 2021, and referred the Company to EB for enforcement action.<sup>119</sup> The Commission finds that Cogeco US apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>120</sup> Cogeco US's CBGs in default subject to forfeiture amounted to \$21,873.70, thereby capping the maximum possible forfeiture at \$3,281.05.<sup>121</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>122</sup> the Commission finds that the forfeiture amount of \$3,281.05 against Cogeco US is appropriate here.

15. **Commnet Wireless, LLC (Commnet); FRN: 0007116403; File No.: EB-IHD-22-00033849; NAL/Acct No.: 202232080026.** Commnet provides broadband communications services to Tribal Communities and rural United States with its main office in Castle Rock, Colorado.<sup>123</sup> Commnet timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>124</sup> On January 26, 2021, Commnet notified the Commission of its intent to default on bids covering 16 CBGs subject to forfeiture in California, Louisiana, Mississippi, Pennsylvania, and West Virginia.<sup>125</sup> WCB declared Commnet to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>126</sup> The Commission finds that Commnet apparently committed 16 violations by

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<sup>114</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>115</sup> On May 12, 2022, Atlantic Broadband (Delmar), LLC notified the Commission that the company had changed its name to Cogeco US (Delmar), LLC. See Letter from KC Halm, Counsel to Cogeco US (Delmar), LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (May 12, 2022).

<sup>116</sup> Cogeco US (Delmar), LLC d/b/a Breezeline, *About Breezeline*, <https://www.breezeline.com> (last visited May 17, 2022). See also Delaware Department of State: Division of Corporations: *Records Search: Cogeco (US) Delmar, LLC*, <https://icis.corp.delaware.gov/ecorp/entitysearch/NameSearch.aspx> (last visited May 10, 2022).

<sup>117</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13906, Attach. A: Winning Bidder Summary.

<sup>118</sup> E-mail from Paul Hudson, Davis Wright Tremaine LLP, Counsel to Cogeco US (Delmar), LLC (formerly, Atlantic Broadband (Delmar), LLC), to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Mar. 22, 2021, 10:39 EDT).

<sup>119</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default.

<sup>120</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>121</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11656, Attach. A: Bids in Default (describing the total amount of Cogeco US's won support that is in default for the identified bids).

<sup>122</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>123</sup> Commnet Wireless, LLC, *Home*, <https://www.commnetbroadband.com> (last visited Apr. 26, 2022).

<sup>124</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13910-11, Attach. A: Winning Bidder Summary.

<sup>125</sup> E-mail from David Kaufman, Counsel for Commnet Wireless, LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 26, 2021, 12:00 EDT).

<sup>126</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11662-63 Attach. A: Bids in Default.

defaulting on 16 CBGs subject to forfeiture, which places the company's base forfeiture at \$48,000.00.<sup>127</sup> Commnet's CBGs in default subject to forfeiture amounted to \$6,797,565.60, thereby capping the maximum possible forfeiture at \$1,019,634.84, which is 15% of Commnet's defaulted support subject to forfeiture in Auction 904.<sup>128</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>129</sup> the Commission finds that the forfeiture amount of \$48,000.00 against Commnet is appropriate here.

16. **Computer Techniques, Inc. dba CTI Fiber (Computer Techniques); FRN: 0017141102; File No.: EB-IHD-22-00033850; NAL/Acct No.: 202232080027.** Computer Techniques is an internet service provider based in Taylorville and Hillsboro, Illinois.<sup>130</sup> Computer Techniques timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>131</sup> On February 19, 2021, Computer Techniques notified the Commission of its intent to default on its CBGs subject to forfeiture.<sup>132</sup> WCB declared Computer Techniques to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>133</sup> The Commission finds that Computer Techniques apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>134</sup> Computer Techniques' CBGs in default subject to forfeiture amounted to \$8,214.00, thereby capping the maximum possible forfeiture at \$1,232.10, which is 15% of Computer Techniques' defaulted support subject to forfeiture in Auction 904.<sup>135</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>136</sup> the Commission finds that the forfeiture amount of \$1,232.10 against Computer Techniques is appropriate here.

17. **Conexon Connect LLC (Conexon Connect); FRN: 0029721511; File No.: EB-IHD-22-00033851; NAL/Acct No.: 202232080028.** Conexon Connect is a subsidiary of Conexon LLC based in Kansas City, Missouri that works with rural electric cooperatives to bring fiber internet to their communities.<sup>137</sup> Conexon Connect was a member of the Rural Electric Cooperative Consortium (RECC).<sup>138</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a

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<sup>127</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>128</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11662-63, Attach. A: Bids in Default (describing the total amount of Commnet's won support that is in default for the identified bids).

<sup>129</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>130</sup> CTI, Home, <https://www.ctitech.com> (last visited Apr. 26, 2022).

<sup>131</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13911, Attach. A: Winning Bidder Summary.

<sup>132</sup> E-mail from Adam Vocks, Computer Techniques, Inc. d/b/a CTI Fiber, to Ian Forbes, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Feb. 19, 2021, 11:12 EDT)

<sup>133</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11663 Attach. A: Bids in Default.

<sup>134</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>135</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11663, Attach. A: Bids in Default (describing the total amount of Computer Techniques' won support that is in default for the identified bids).

<sup>136</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>137</sup> Conexon, Home, <https://conexon.us> (last visited Apr. 26, 2022).

<sup>138</sup> Rural Electric Cooperative Consortium, Auction 904 FCC Form 175 Application, File No. 0009148768, at Attach. 2, p. 13 (filed July 14, 2020); [https://auctionnextfiling.fcc.gov/form175/search175/results\\_detail\\_appInfo.htm?searchLevel=B&application\\_id=12165528&file\\_num=0009148768&version=2&Pstart=1&auction\\_id=904](https://auctionnextfiling.fcc.gov/form175/search175/results_detail_appInfo.htm?searchLevel=B&application_id=12165528&file_num=0009148768&version=2&Pstart=1&auction_id=904) (RECC Short-Form Filing).

successful bidder.<sup>139</sup> In turn, RECC assigned bids covering 1,156 CBGs to Conexon Connect.<sup>140</sup> On January 28, 2021, Conexon Connect notified the Commission that it was defaulting on 13 CBGs subject to forfeiture in Ohio, Texas, and Virginia,<sup>141</sup> and on June 16, 2021, Conexon Connect notified the Commission that it was defaulting on one CBG subject to forfeiture in Illinois.<sup>142</sup> WCB declared Conexon Connect to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>143</sup> The Commission finds that Conexon Connect apparently committed 14 violations by defaulting on 14 CBGs subject to forfeiture, which places the company's base forfeiture at \$42,000.00.<sup>144</sup> Conexon Connect's assigned CBGs in default subject to forfeiture amounted to \$521,940.20, thereby capping the maximum possible forfeiture at \$78,291.03, which is 15% of Conexon Connect's defaulted support subject to forfeiture in Auction 904.<sup>145</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>146</sup> the Commission finds that the forfeiture amount of \$42,000.00 against Conexon Connect is appropriate here.

18. **Consolidated Fiber, Inc. (Consolidated Fiber); FRN: 0027761279; File No.: EB-IHD-22-00033852; NAL/Acct No.: 202232080029.** Consolidated Fiber is a wholly owned subsidiary of Consolidated Cooperative, headquartered in Mount Gilead, Ohio.<sup>147</sup> Consolidated Cooperative was a member of RECC.<sup>148</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>149</sup> In turn, RECC assigned three CBGs to Consolidated Fiber.<sup>150</sup> Consolidated Fiber failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>151</sup> On January 29, 2021, Consolidated Fiber notified the Commission that it was defaulting on all three of its CBGs subject to forfeiture in Ohio.<sup>152</sup> WCB declared Consolidated Fiber to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>153</sup> The Commission finds that Consolidated Fiber apparently committed three violations by defaulting on three CBGs subject to

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<sup>139</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>140</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>141</sup> Letters from Conexon Connect, LLC, to Federal Communications Commission (Jan.28, 2021).

<sup>142</sup> Letter from Todd B. Lantor, Counsel to Conexon Connect, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (June 16, 2021).

<sup>143</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11663-64 Attach. A: Bids in Default.

<sup>144</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>145</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11663-64, Attach. A: Bids in Default (describing the total amount of Conexon Connect's won support that is in default for the identified bids).

<sup>146</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>147</sup> Consolidated Cooperative, *Fiber*, <https://www.consolidated.coop/fiber> (last visited Apr. 29, 2022).

<sup>148</sup> See RECC Short-Form Filing, at Attach. 2, p. 14.

<sup>149</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>150</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>151</sup> *Id.* at 11651, n.1.

<sup>152</sup> Letter from Todd B. Lantor, Counsel to Consolidated Fiber, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>153</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

forfeiture, which places the company's base forfeiture at \$9,000.00.<sup>154</sup> Consolidated Fiber's assigned CBGs in default subject to forfeiture amounted to \$80,957.90, thereby capping the maximum possible forfeiture at \$12,143.68, which is 15% of Consolidated Fiber's defaulted support subject to forfeiture in Auction 904.<sup>155</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>156</sup> the Commission finds that the forfeiture amount of \$9,000.00 against Consolidated Fiber is appropriate here.

19. **Cooperative Connect, Inc. (Cooperative Connect); FRN: 0029757853; File No.: EB-IHD-22-00033853; NAL/Acct No.: 202232080030.** Cooperative Connect is a nonprofit corporation headquartered in Lorain and Wellington, Ohio. It is an internet cooperative owned by three Ohio rural electric cooperatives; Firelands Electric Cooperative, Inc.; Lorain-Medina Rural Electric Cooperative; Inc.; and North Central Electric Cooperative, Inc.<sup>157</sup> Cooperative Connect was a member of RECC.<sup>158</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>159</sup> In turn, RECC assigned three CBGs to Cooperative Connect.<sup>160</sup> Cooperative Connect failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>161</sup> On January 29, 2021, Cooperative Connect notified the Commission that it was defaulting on four CBGs subject to forfeiture in Ohio.<sup>162</sup> WCB declared Cooperative Connect to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>163</sup> The Commission finds that Cooperative Connect apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>164</sup> Cooperative Connect's assigned CBGs in default subject to forfeiture amounted to \$405,180.00, thereby capping the maximum possible forfeiture at \$60,777.00, which is 15% of Cooperative Connect's defaulted support subject to forfeiture in Auction 904.<sup>165</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>166</sup> the Commission finds that the forfeiture amount of \$12,000.00 against Cooperative Connect is appropriate here.

20. **Delta Communications, LLC (Delta Communications); FRN: 0007690258; File No.: EB-IHD-22-00033854; NAL/Acct No.: 202232080031.** Delta Communications is an internet service

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<sup>154</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>155</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11664 Attach. A: Bids in Default (describing the total amount of Consolidated Fiber's won support that is in default for the identified bids).

<sup>156</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>157</sup> See RECC Short-Form Filing, at Attach. 2, p. 18.

<sup>158</sup> *Id.*

<sup>159</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>160</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>161</sup> *Id.* at 1151, n.1.

<sup>162</sup> Letter from Todd B. Lantor, Counsel to Cooperative Connect, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>163</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664 Attach. A: Bids in Default.

<sup>164</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>165</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11664 Attach. A: Bids in Default (describing the total amount of Cooperative Connect's won support that is in default for the identified bids).

<sup>166</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

provider located in Harrisburg, Illinois.<sup>167</sup> Delta Communications is owned by Cable One, Inc., which was a member of the Wisper-CABO 904 Consortium (Wisper-CABO).<sup>168</sup> Wisper-CABO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>169</sup> In turn, Wisper-CABO assigned seven CBGs to Delta Communications in Illinois.<sup>170</sup> On November 1, 2021, Delta Communications notified the Commission of its intent to default on its seven CBGs subject to forfeiture.<sup>171</sup> WCB declared Delta Communications to be in default on December 16, 2021, and referred the company to EB for enforcement action.<sup>172</sup> The Commission finds Delta Communications apparently committed seven violations by defaulting on seven CBGs subject to forfeiture, which places the company's base forfeiture at \$21,000.00.<sup>173</sup> Delta Communications' assigned CBGs in default subject to forfeiture amounted to \$12,369.20, thereby capping the maximum possible forfeiture at \$1,855.38, which is 15% of Delta Communications' defaulted support subject to forfeiture in Auction 904.<sup>174</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>175</sup> the Commission finds that the forfeiture amount of \$1,855.38 against Delta Communications is appropriate here.

21. **Direct Communications Rockland, Inc. (Direct Communications); FRN: 0004321790; File No.: EB-IHD-22-00033855; NAL/Acct No.: 202232080032.** Direct Communications is a fiber broadband company in Rockland, Idaho.<sup>176</sup> Direct Communications timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>177</sup> On December 16, 2021, WCB declared Direct Communications to be in default when the company did not submit its ETC documentation by the June 7, 2021, Long-Form ETC deadline, and referred the company to EB for enforcement action.<sup>178</sup> The Commission finds Direct Communications apparently committed 15 violations by defaulting on 15 CBGs subject to forfeiture, which places the company's base forfeiture at

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<sup>167</sup> Dunn and Bradstreet Business Directory, *Delta Communications, LLC*, [https://www.dnb.com/business-directory/company-profiles.delta\\_communications\\_llc.15a5b1c79c44128ba17cb0ff885297d1.html](https://www.dnb.com/business-directory/company-profiles.delta_communications_llc.15a5b1c79c44128ba17cb0ff885297d1.html) (last visited Apr. 26, 2022).

<sup>168</sup> Wisper-CABO 904 Consortium, Auction 904 FCC Form 175 Application, File No. 0009149272, at Ownership & Wisper-CABO 904 Consortium Attach. (filed July 14, 2020); [https://auctionfiling.fcc.gov/form175/search175/results\\_detail\\_appInfo.htm?searchLevel=B&application\\_id=12176125&file\\_num=0009149272&version=2&PStart=1&auction\\_id=904](https://auctionfiling.fcc.gov/form175/search175/results_detail_appInfo.htm?searchLevel=B&application_id=12176125&file_num=0009149272&version=2&PStart=1&auction_id=904).

<sup>169</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13932-33, Attach. A: Winning Bidder Summary.

<sup>170</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>171</sup> E-mail from Patrick Caron, General Counsel, Cable One, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Nov. 1, 2021, 16:35 EDT).

<sup>172</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>173</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>174</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Delta Communications' won support that is in default for the identified bids).

<sup>175</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>176</sup> Direct Communications, *Home*, <https://directcom.com/idaho> (last visited Apr. 26, 2022).

<sup>177</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13913, Attach. A: Winning Bidder Summary.

<sup>178</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

\$45,000.00.<sup>179</sup> Direct Communications' CBGs in default subject to forfeiture amounted to \$15,542,781.30, thereby capping the maximum possible forfeiture at \$2,331,417.19, which is 15% of Delta Communications' defaulted support subject to forfeiture in Auction 904.<sup>180</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>181</sup> the Commission finds that the forfeiture amount of \$45,000.00 against Direct Communications is appropriate here.

22. **Edisto Electric Cooperative, Inc. (Edisto); FRN: 0029709995; File No.: EB-IHD-22-00033856; NAL/Acct No.: 202232080033.** Edisto is an electric cooperative located in Bamberg, South Carolina.<sup>182</sup> Edisto was a member of RECC.<sup>183</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>184</sup> In turn, RECC assigned three CBGs to Edisto.<sup>185</sup> Edisto failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>186</sup> On January 29, 2021, Edisto notified the Commission that it was defaulting on three CBGs subject to forfeiture in Ohio.<sup>187</sup> WCB declared Edisto to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>188</sup> The Commission finds that Edisto apparently committed three violations by defaulting on three CBGs subject to forfeiture, which places the company's base forfeiture at \$9,000.00.<sup>189</sup> Edisto's CBGs in default subject to forfeiture amounted to \$332,634.70, thereby capping the maximum possible forfeiture at \$49,895.20, which is 15% of Edisto's defaulted support subject to forfeiture in Auction 904.<sup>190</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>191</sup> the Commission finds that the forfeiture amount of \$9,000.00 against Edisto is appropriate here.

23. **Effective Systems Fiber Network, LLC (Effective Systems); FRN: 0029713260; File No.: EB-IHD-22-00033857; NAL/Acct No.: 202232080034.** Effective Systems is a fiber internet provider located in Franklin, Indiana.<sup>192</sup> Effective Systems was a member of the NRTC Phase 1 RDOF

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<sup>179</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>180</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Direct Communications' won support that is in default for the identified bids).

<sup>181</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>182</sup> Edisto Electric Cooperative, *Home*, <https://www.edistoelectric.com/> (last visited Apr. 26, 2022).

<sup>183</sup> See RECC Short-Form Filing, at Attach. 2, p. 26.

<sup>184</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>185</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>186</sup> *Id.* at 11651, n.1.

<sup>187</sup> Letter from Todd B. Lantor, Counsel to Edisto Electric Cooperative, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>188</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>189</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>190</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default (describing the total amount of Edisto's won support that is in default for the identified bids).

<sup>191</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>192</sup> Indiana-Company.Com., *Effective Systems Fiber Network, LLC*, <https://indiana-company.com/co/effective-systems-fiber-network-llc> (last visited Apr. 26, 2022).

Consortium (NRTC).<sup>193</sup> NRTC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>194</sup> In turn, NRTC assigned four CBGs to Effective Systems.<sup>195</sup> On February 2, 2021, Effective Systems notified the Commission of its intent to default on four CBGs subject to forfeiture in Indiana.<sup>196</sup> WCB declared Effective Systems to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>197</sup> The Commission finds that Effective Systems apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>198</sup> Effective Systems' assigned CBGs in default subject to forfeiture amounted to \$248,649.00, thereby capping the maximum possible forfeiture at \$37,297.35, which is 15% of Effective Systems' defaulted support subject to forfeiture in Auction 904.<sup>199</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>200</sup> the Commission finds that the forfeiture amount of \$12,000.00 against Effective Systems is appropriate here.

24. **City of Farmington (Farmington); FRN: 001609163; File No.: EB-IHD-22-00033858; NAL/Acct No.: 202232080035.** The Farmington Electric Utility System is owned and operated by the City of Farmington, New Mexico.<sup>201</sup> Farmington serves approximately 46,000 metered customers.<sup>202</sup> Farmington timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>203</sup> On January 22, 2021, Farmington notified the Commission of its intent to default on its CBGs subject to forfeiture.<sup>204</sup> WCB declared Farmington to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>205</sup> The Commission finds that Farmington apparently committed six violations by defaulting on six CBGs subject to forfeiture, which places the company's base forfeiture at \$18,000.00.<sup>206</sup> Farmington's winning CBGs in default subject to forfeiture amounted to \$3,117,780.60, thereby capping the maximum possible forfeiture at \$467,667.09, which is 15% of Farmington's default support subject to forfeiture in Auction 904.<sup>207</sup> Because the base forfeiture

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<sup>193</sup> Letter from Nikki Shoultz, Counsel to Effective Systems Fiber Network, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 2, 2021) (*Effective Systems Default Letter*).

<sup>194</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13921, Attach. A: Winning Bidder Summary.

<sup>195</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>196</sup> *Effective Systems Default Letter*.

<sup>197</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default.

<sup>198</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>199</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11664, Attach. A: Bids in Default (describing the total amount of Effective Systems' won support that is in default for the identified bids).

<sup>200</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>201</sup> City of Farmington, *Farmington Electric Utility System*, <https://www.fmtn.org/181/Farmington-Electric-Utility-System> (last visited Apr. 28, 2022).

<sup>202</sup> *Id.*

<sup>203</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13910, Attach. A: Winning Bidder Summary.

<sup>204</sup> E-mail from Olena Erickson, CPA, Utility Financial Analyst City of Farmington, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 22, 2021, 14:43 EDT).

<sup>205</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11662, Attach. A: Bids in Default.

<sup>206</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>207</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11662, Attach. A: Bids in Default (describing the total amount of Farmington's won support that is in default for the identified bids).



is less than 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>208</sup> the Commission finds that the forfeiture amount of \$18,000.00 against Farmington is appropriate here.

25. **Foursight Communications LLC, d/b/a Trilight (Trilight); FRN: 0028574499; File No.: EB-IHD-22-00033859; NAL/Acct No.: 202232080036.** Trilight is an internet service company located in Cookeville, Tennessee.<sup>209</sup> Trilight participated in Auction 904 as a member of the Tennessee Cooperative Group Consortium (TN Coop).<sup>210</sup> TN Coop timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>211</sup> In turn, TN Coop assigned Trilight 13 CBGs.<sup>212</sup> On January 28, 2021, Trilight notified the Commission that it was defaulting on five CBGs subject to forfeiture in Tennessee.<sup>213</sup> WCB declared Trilight to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>214</sup> The Commission finds that Trilight apparently committed five violations by defaulting on five CBGs subject to forfeiture, which places the company's base forfeiture at \$15,000.00.<sup>215</sup> Trilight's assigned CBGs in default subject to forfeiture amounted to \$98,271.40, thereby capping the maximum possible forfeiture at \$14,740.71, which is 15% of Trilight's defaulted support subject to forfeiture in Auction 904.<sup>216</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>217</sup> the Commission finds that the forfeiture amount of \$14,740.71 against Trilight is appropriate here.

26. **Great Plains Communications LLC (Great Plains); FRN: 0004381380; File No.: EB-IHD-22-00033860; NAL/Acct No.: 202232080037.** Great Plains is a fiber network service provider headquartered in Blair, Nebraska,<sup>218</sup> and an operating company of Grain Communications Opportunity Fund II, L.P. (Opportunity Fund).<sup>219</sup> The Opportunity Fund timely submitted its Short-Form Application to participate in Auction 904 on behalf of its operating companies and was a successful bidder.<sup>220</sup> In turn,

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<sup>208</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>209</sup> Dunn & Bradstreet Business Directory, [https://www.dnb.com/business-directory/company-profiles/foursight\\_communications\\_llc.7266adda5b4d9b327ec46f1ae386776b.html](https://www.dnb.com/business-directory/company-profiles/foursight_communications_llc.7266adda5b4d9b327ec46f1ae386776b.html) (last visited Apr. 29, 2022)

<sup>210</sup> E-mail from Jonathan West, Counsel to Foursight Communications LLC d/b/a Trilight, to Heidi Lankau, Telecommunications Policy Access Division, Federal Communications Commission (Jan. 28, 2021, 18:31 EDT). (*Trilight Default E-mail*).

<sup>211</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13929, Attach. A: Winning Bidder Summary.

<sup>212</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>213</sup> *Trilight Default E-mail*.

<sup>214</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11664-65, Attach. A: Bids in Default.

<sup>215</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>216</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11664-65, Attach. A: Bids in Default (describing the total amount of Trilight's won support that is in default for the identified bids).

<sup>217</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>218</sup> Great Plains Communications, *Home*, <https://gpcom.com> (last visited Apr. 26, 2022).

<sup>219</sup> Grain Management, *Investments*, <https://graingp.com/investments/> (last visited Apr. 28, 2022); Grain Communications Opportunity Fund II, L.P., Auction 904 FCC Form 175 Application, File No. 0009149927, at Operating Companies Attach. (filed July 9, 2020); [https://auctionfiling.fcc.gov/form175/search175/results\\_detail\\_appInfo.htm?searchLevel=B&application\\_id=12165733&file\\_num=0009149927&version=2&PStart=1&auction\\_id=904](https://auctionfiling.fcc.gov/form175/search175/results_detail_appInfo.htm?searchLevel=B&application_id=12165733&file_num=0009149927&version=2&PStart=1&auction_id=904).

<sup>220</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13916, Attach. A: Winning Bidder Summary.

Opportunity Fund assigned four CBGs in Nebraska to Great Plains.<sup>221</sup> On Sept. 14, 2021, Great Plains notified the Commission of its intent to default on its CBGs subject to forfeiture in Nebraska.<sup>222</sup> WCB declared Great Plains to be in default on December 16, 2021, and referred the company to EB for enforcement action.<sup>223</sup> The Commission finds that Great Plains apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>224</sup> Great Plains' assigned CBGs in default subject to forfeiture amounted to \$18,416.20, thereby capping the maximum possible forfeiture at \$2,762.43, which is 15% of Great Plain' defaulted support subject to forfeiture in Auction 904.<sup>225</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>226</sup> the Commission finds that the forfeiture amount of \$2,762.43 against Great Plains is appropriate here.

27. **Gtek Computers & Wireless LLC (Gtek); FRN: 0016715682; File No.: EB-IHD-22-00033861; NAL/Acct No.: 202232080038.** Gtek is a wireless internet service provider headquartered in Portland, Texas.<sup>227</sup> Gtek participated in Auction 904 as a member of the NexTier Consortium (NexTier).<sup>228</sup> NexTier timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>229</sup> In turn, NexTier assigned 65 CBGs to Gtek.<sup>230</sup> On February 4, 2022, Gtek notified the Commission that it was defaulting on 61 CBGs subject to forfeiture in Texas.<sup>231</sup> WCB declared Gtek to be in default on January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>232</sup> The Commission finds that Gtek apparently committed 61 violations by defaulting on 61 CBGs subject to forfeiture, which places the company's base forfeiture at \$183,000.00.<sup>233</sup> Gtek's assigned CBGs in default subject to forfeiture amounted to \$277,069.70, thereby capping the maximum

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<sup>221</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>222</sup> E-mail from Rodney Thiemann, Sr. Director of Regulatory Finance, Great Plains Communications, LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Sept. 14, 2021, 11:45 EDT).

<sup>223</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>224</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>225</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Great Plains' won support that is in default for the identified bids).

<sup>226</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>227</sup> Gtek 360, Home, <https://www.gtek.biz> (last visited Apr. 26, 2022).

<sup>228</sup> See NexTier Consortium, Auction 904 FCC Form 175 Application, File No. 0009149839, at Ownership (filed Sept. 23, 2020); [https://auctionfiling.fcc.gov/form175/search175/results\\_detail\\_appInfo.htm?searchLevel=B&application\\_id=12180976&file\\_num=0009149839&version=2&PStart=1&auction\\_id=904](https://auctionfiling.fcc.gov/form175/search175/results_detail_appInfo.htm?searchLevel=B&application_id=12180976&file_num=0009149839&version=2&PStart=1&auction_id=904) (NexTier Short-Form Filing).

<sup>229</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13920, Attach. A: Winning Bidder Summary.

<sup>230</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>231</sup> Letter from Justin Aragon, Director of Operations, Gtek 360, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 4, 2022).

<sup>232</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>233</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

possible forfeiture at \$41,560.46, which is 15% of Gtek's defaulted support subject to forfeiture in Auction 904.<sup>234</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>235</sup> the Commission finds that the forfeiture amount of \$41,560.46 against Gtek is appropriate here.

28. **Guernsey-Muskingum Electric Cooperative, Inc. (Guernsey); FRN: 0029716396; File No.: EB-IHD-22-00033862; NAL/Acct No.: 202232080039.** Guernsey is an Ohio electric cooperative located in New Concord, Ohio.<sup>236</sup> Guernsey was a member of RECC.<sup>237</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>238</sup> In turn, RECC then assigned Guernsey two of its CBGs in Ohio.<sup>239</sup> Guernsey failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>240</sup> On January 29, 2021, Guernsey notified the Commission of its intent to default on both of its CBGs subject to forfeiture in Ohio.<sup>241</sup> WCB declared Guernsey to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>242</sup> The Commission finds that Guernsey apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>243</sup> Guernsey's CBGs in default subject to forfeiture amounted to \$24,924.00, thereby capping the maximum possible forfeiture at \$3,738.60, which is 15% of Guernsey's defaulted support subject to forfeiture in Auction 904.<sup>244</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$3,738.60 against Guernsey is appropriate here.<sup>245</sup>

29. **HolstonConnect LLC (HolstonConnect); FRN: 0026995332; File No.: EB-IHD-22-00033863; NAL/Acct No.: 202232080040.** HolstonConnect, a wholly owned subsidiary of Houston Electric Cooperative, has its headquarters in Tennessee, and provides telephone, TV, and internet services to customers, businesses and governmental entities located in rural areas.<sup>246</sup> HolstonConnect was a member of RECC.<sup>247</sup> RECC timely submitted its Short-Form Application to participate in Auction 904

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<sup>234</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default, (describing the total amount of Gtek's won support that is in default for the identified bids).

<sup>235</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>236</sup> Guernsey, *About Your Cooperative*, <https://www.gmenergy.com/about-your-cooperative> (last visited Apr. 13, 2022).

<sup>237</sup> See RECC Short-Form Filing, at Attach. 2, p. 30.

<sup>238</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>239</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default.

<sup>240</sup> *Id.* at 11651, n.1.

<sup>241</sup> Letter from Todd Lantor, Counsel to Guernsey-Muskingum Electric Cooperative, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>242</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default.

<sup>243</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>244</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default (describing the total amount of Guernsey's assigned support that is in default for the identified bids).

<sup>245</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>246</sup> HolstonConnect, *About Us*, <https://www.holstonconnect.com> (last visited May 8, 2022).

<sup>247</sup> See RECC Short-Form Filing, at Attach. 2, pp. 30-31.

and was a successful bidder.<sup>248</sup> In turn, RECC assigned its winning bids for 12 CBGs to HolstonConnect, which timely submitted its Long-Form Application.<sup>249</sup> On September 1, 2021, HolstonConnect notified the Commission of its intent to default on its assigned CBGs subject to forfeiture.<sup>250</sup> WCB declared HolstonConnect to be in default on December 16, 2021, and referred the company to EB for enforcement action.<sup>251</sup> The Commission finds that HolstonConnect apparently committed 12 violations by defaulting on 12 CBGs subject to forfeiture, which places the company's base forfeiture at \$36,000.00.<sup>252</sup> HolstonConnect's assigned CBGs in default subject to forfeiture amounted to \$37,700.70, thereby capping the maximum possible forfeiture at \$5,655.10.<sup>253</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>254</sup> the Commission finds that the forfeiture amount of \$5,655.10 against HolstonConnect is appropriate here.

30. **HomeTown Broadband, Inc. (HomeTown); FRN: 0029677846; File No.: EB-IHD-22-00033864; NAL/Acct No.: 202232080041.** HomeTown, an entity formed in Arkansas, filed its application as a consortium with its affiliate, Dunnell Telephone Company.<sup>255</sup> HomeTown timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>256</sup> On February 19, 2021, HomeTown notified the Commission of the company's intent to default on its two CBGs subject to forfeiture in Arkansas.<sup>257</sup> WCB declared HomeTown to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>258</sup> The Commission finds that HomeTown apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>259</sup> HomeTown's winning bids in default subject to forfeiture amounted to \$1,369,579.00, thereby capping the maximum possible forfeiture at \$205,436.85, which is 15% of HomeTown's default support subject to forfeiture in Auction 904.<sup>260</sup> Because the base forfeiture

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<sup>248</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>249</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>250</sup> Letter from Todd B. Lantor, Counsel to HolstonConnect LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Sept. 1, 2021).

<sup>251</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>252</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>253</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of HolstonConnect's won support that is in default for the identified bids).

<sup>254</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>255</sup> See Application to Participate in Auction 904, FCC Form 183, HomeTown Broadband, Inc., File No. 0009149852, (filed Sept. 23, 2020); Dunnell Telephone Company, <http://www.dunnelltelephone.com/> (last visited May 12, 2022).

<sup>256</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917, Attach. A: Winning Bidder Summary.

<sup>257</sup> E-mail from Charles Mattingly, Chief Executive Officer, HomeTown Broadband, Inc., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Feb. 19, 2021, 11:05 EDT).

<sup>258</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default.

<sup>259</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>260</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default (describing the total amount of HomeTown's won support that is in default for the identified bids).

is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>261</sup> the Commission finds that the forfeiture amount of \$6,000.00 against HomeTown is appropriate here.

31. **Horry Telephone Cooperative, Inc. (HTC); FRN: 0001886944; File No.: EB-IHD-22-00033865; NAL/Acct No.: 202232080042.** HTC is a cooperative in South Carolina that provides telecommunications services in Horry, Georgetown, and Marion counties.<sup>262</sup> HTC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>263</sup> On April 7, 2021, HTC notified the Commission of its intent to default on 10 CBGs subject to forfeiture in South Carolina.<sup>264</sup> WCB declared HTC to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>265</sup> The Commission finds that HTC apparently committed 10 violations by defaulting on 10 CBGs subject to forfeiture, which places the company's base forfeiture at \$30,000.00.<sup>266</sup> HTC's CBGs in default amounted to \$117,884.40, thereby capping the maximum possible forfeiture at \$17,682.66, which is 15% of HTC's defaulted support subject to forfeiture in Auction 904.<sup>267</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$17,682.66 against HTC is appropriate here.<sup>268</sup>

32. **Hotwire Communications, Ltd. (Hotwire); FRN: 0009846494; File No.: EB-IHD-22-00033866; NAL/Acct No.: 202232080043.** Hotwire is a Pennsylvania Limited Partnership headquartered in Bala Cynwyd, Pennsylvania.<sup>269</sup> Hotwire provides fiber optic services to communities in Florida, South Carolina, Maryland, Pennsylvania, New Jersey and New York.<sup>270</sup> Hotwire timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>271</sup> On January 29, 2021, Hotwire notified the Commission of its intent to default on 13 of its 34 CBGs.<sup>272</sup> WCB declared Hotwire to be in default for those 13 CBGs on July 26, 2021, and referred the company to EB for enforcement action.<sup>273</sup> WCB declared Hotwire to be in further default for an additional 21 CBGs on December 16, 2021, after Hotwire made a major modification to its pending Long-Form Application and its request for a waiver of the prohibition on major modifications was denied, and again referred the

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<sup>261</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>262</sup> HTC, *About Us*, <https://www.htcinc.net/about-htc/> (last visited May 2, 2022).

<sup>263</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917, Attach. A: Winning Bidder Summary.

<sup>264</sup> E-mail from Dee Herman, Counsel to Horry Telephone Cooperative, Inc., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Apr. 7, 2021, 18:21 EDT).

<sup>265</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default.

<sup>266</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>267</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11665, Attach. A: Bids in Default (describing the total amount of HTC's won support that is in default for the identified bids).

<sup>268</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>269</sup> Hotwire, *About Hotwire*, <https://gethotwired.com/about> (last visited Apr. 14, 2022).

<sup>270</sup> *Id.*

<sup>271</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917, Attach. A: Winning Bidder Summary.

<sup>272</sup> E-mail from Jeff Carlisle, Lerman Senter PLLC, Counsel to Hotwire Communications, Ltd., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 29, 2021, 11:32 EDT).

<sup>273</sup> 47 CFR § 54.804(b)(6)(iv) ("Applications to which major modifications are made after the deadline for submitting applications shall be denied."). See also *July 2021 Default Public Notice*, 36 FCC Rcd at 11665-66, Attach. A: Bids in Default.

company to EB for enforcement action.<sup>274</sup> The Commission finds that Hotwire apparently committed 28 violations by defaulting on 28 CBGs subject to forfeiture, which places the company's base forfeiture at \$84,000.00.<sup>275</sup> Hotwire's CBGs in default subject to forfeiture amounted to \$4,008,371.00 thereby capping the maximum possible forfeiture at \$601,255.65, which is 15% of Hotwire's defaulted support subject to forfeiture in Auction 904.<sup>276</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>277</sup> the Commission finds that the forfeiture amount of \$84,000.00 against Hotwire is appropriate here.

33. **iZone Broadband LLC. (iZone); FRN: 0026899971; File No.: EB-IHD-22-00033867; NAL/Acct No.: 202232080044.** iZone is an Ohio company providing high speed internet to rural homes or offices in Central Ohio.<sup>278</sup> iZone was a member of NexTier.<sup>279</sup> NexTier timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>280</sup> In turn, NexTier assigned iZone four CBGs in Ohio.<sup>281</sup> iZone failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>282</sup> On January 27, 2021, iZone notified the Commission of its intent to default on four of its CBGs subject to forfeiture in Ohio.<sup>283</sup> WCB declared iZone to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>284</sup> The Commission finds that iZone apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>285</sup> iZone's CBGs in default subject to forfeiture amounted to \$156,450.50, thereby capping the maximum possible forfeiture at \$23,467.58, which is 15% of iZone's defaulted support subject to forfeiture in Auction 904.<sup>286</sup> Because the \$12,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$12,000.00 against iZone is appropriate here.<sup>287</sup>

34. **KanOkla Telephone Association (KanOkla); FRN: 0004362364; File No.: EB-IHD-22-00033868; NAL/Acct No.: 202232080045.** KanOkla is a Kansas cooperative headquartered in

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<sup>274</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>275</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>276</sup> *See id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11665-66, Attach. A: Bids in Default; *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Hotwire's won support that is in default for the identified bids).

<sup>277</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>278</sup> iZone, Home, <https://www.izonebroadband.com/> (last visited Mar. 29, 2022). *See also* iZone, *About Us*, [https://www.izonebroadband.com/about\\_us/](https://www.izonebroadband.com/about_us/) (last visited Mar. 29, 2022).

<sup>279</sup> *See* NexTier Short-Form Filing.

<sup>280</sup> *See Winning Bidders Public Notice*, 35 FCC Rcd at 13920, Attach. A: Winning Bidder Summary.

<sup>281</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11666, Attach. A: Bids in Default.

<sup>282</sup> *Id.* at 11651, n.1

<sup>283</sup> E-mail from Scott Lanham, President, iZone Broadband LLC., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 27, 2021, 14:45 EDT).

<sup>284</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11666, Attach. A: Bids in Default.

<sup>285</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>286</sup> *See id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11666, Attach. A: Bids in Default (describing the total amount of iZone's won support that is in default for the identified bids).

<sup>287</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

Calwell, Kansas.<sup>288</sup> KanOkla offers high speed internet service to rural locations in Kansas and Oklahoma through its network of fixed tower sites and fiber routes.<sup>289</sup> KanOkla timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>290</sup> On February 4, 2021, KanOkla notified the Commission of its intent to default on both of its CBGs.<sup>291</sup> WCB declared KanOkla to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>292</sup> The Commission finds that KanOkla apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>293</sup> KanOkla's CBGs in default subject to forfeiture amounted to \$25,855.90, thereby capping the maximum possible forfeiture at \$3,878.38, which is 15% of KanOkla's defaulted support subject to forfeiture in Auction 904.<sup>294</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>295</sup> the Commission finds that the forfeiture amount of \$3,878.38 against KanOkla is appropriate here.

35. **Licking Rural Electrification (Licking); FRN: 0023704042; File No.: EB-IHD-22-00033869; NAL/Acct No.: 202232080046.** Licking is an Ohio company located in Newark, Ohio.<sup>296</sup> Licking was a member of RECC.<sup>297</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>298</sup> In turn, RECC assigned Licking six CBGs in Ohio.<sup>299</sup> Licking failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>300</sup> On February 2, 2021, Licking notified the Commission of its intent to default on all of its assigned CBGs in Ohio, of which five are subject to forfeiture.<sup>301</sup> WCB declared Licking to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>302</sup> The Commission finds that Licking apparently committed five violations by defaulting on five CBGs subject to forfeiture, which places the company's base forfeiture at \$15,000.00.<sup>303</sup> Licking's assigned CBGs subject to forfeiture amounted to \$67,112.80, thereby capping the maximum possible forfeiture at \$10,066.92, which is 15% of Licking's

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<sup>288</sup> KanOkla, *About Us*, <https://www.kanokla.com/about-us> (last visited Mar. 18, 2022).

<sup>289</sup> *Id.*

<sup>290</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917, Attach. A: Winning Bidder Summary.

<sup>291</sup> E-mail from Jill Kuehny, Chief Executive Officer, KanOkla Telephone Association, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Feb. 4, 2021, 19:00 EDT).

<sup>292</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11666, Attach. A: Bids in Default.

<sup>293</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>294</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11666, Attach. A: Bids in Default (describing the total amount of KanOkla's won support that is in default for the identified bids).

<sup>295</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>296</sup> Licking, *Contact Us*, <https://myenergycoop.com/contact-us/> (last visited Apr. 14, 2022).

<sup>297</sup> See RECC Short-Form Filing, at Attach. 2, pp. 34-35.

<sup>298</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>299</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11666-67, Attach. A: Bids in Default.

<sup>300</sup> *Id.* at 11651, n.1.

<sup>301</sup> E-mail from Todd B. Lantor, Counsel to Licking Rural Electrification, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 2, 2021).

<sup>302</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11666-67, Attach. A: Bids in Default.

<sup>303</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

defaulted support subject to forfeiture in Auction 904.<sup>304</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$10,066.92 against Licking is appropriate here.<sup>305</sup>

36. **LTD Broadband LLC (LTD Broadband); FRN: 0020926788; File No.: EB-IHD-22-00033870; NAL/Acct No.: 202232080047.** LTD Broadband is a Nevada company that provides fiber and fixed wireless service to customers, businesses and governmental entities located in rural areas.<sup>306</sup> LTD Broadband timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>307</sup> On August 16, 2021, LTD Broadband notified the Commission of its intent to default on certain census blocks.<sup>308</sup> On August 25, 2021, LTD Broadband also notified the Commission that it would not seek reconsideration of WCB's denial of the company's deadline waiver request for its Kansas and Oklahoma bids.<sup>309</sup> The areas where LTD Broadband intended to default cover 768 CBGs subject to forfeiture. WCB declared LTD Broadband to be in default on December 16, 2021,<sup>310</sup> and on January 28, 2022,<sup>311</sup> and referred the company to EB for enforcement action. The Commission finds that LTD Broadband apparently committed violations by defaulting on 768 CBGs subject to forfeiture, which places the company's base forfeiture at \$2,304,000.00.<sup>312</sup> LTD Broadband's CBGs in default subject to forfeiture amounted to \$78,496,778.40, thereby capping the maximum possible forfeiture at \$11,774,516.76, which is 15% of LTD Broadband's defaulted support subject to forfeiture in Auction 904.<sup>313</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>314</sup> the Commission finds that the forfeiture amount of \$2,304,000.00 against LTD Broadband is appropriate here.

37. **Lynches River Communications, Inc. (Lynches); FRN: 0029688389; File No.: EB-IHD-22-00033871; NAL/Acct No.: 202232080048.** Lynches is a South Carolina company located in Pageland, South Carolina.<sup>315</sup> Lynches was a member of RECC.<sup>316</sup> RECC timely submitted its Short-

<sup>304</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11666-67, Attach. A: Bids in Default (describing the total amount of Licking's won support that is in default for the identified bids).

<sup>305</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>306</sup> LTD Broadband, *About*, <https://ltdbroadband.com/about> (last visited May 10, 2022).

<sup>307</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13917-18, Attach. A: Winning Bidder Summary.

<sup>308</sup> E-mail from Stephen E. Coran, Counsel to LTD Broadband LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Aug. 16, 2021, 15:45 EDT).

<sup>309</sup> Petition for Partial Reconsideration of LTD Broadband LLC, AU Docket No. 20-34, *et al.*, at 1-2 (filed Aug. 25, 2021).

<sup>310</sup> *December 2021 Default Public Notice*, at 4-5, n.38 & Attach. B: Bids in Default.

<sup>311</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>312</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>313</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of LTD Broadband's won support that is in default for the identified bids); *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of LTD Broadband's won support that is in default for the identified bids).

<sup>314</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>315</sup> See South Carolina Sec. State, *Business Name Search: Lynches River Communications, Inc.*, <https://businessfilings.sc.gov/BusinessFiling/Entity/Profile/622f7185-d20a-4613-9c56-1235c6e9ab5e> (last visited Apr. 15, 2022).

<sup>316</sup> See RECC Short-Form Filing, at Attach. 2, p. 36.



Form Application to participate in Auction 904 and was a successful bidder.<sup>317</sup> In turn, RECC assigned Lynches four CBGs in Ohio.<sup>318</sup> Lynches failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>319</sup> On January 29, 2021, Lynches notified the Commission of its intent to default on its assigned CBGs subject to forfeiture.<sup>320</sup> WCB declared Lynches to be in default on July 26, 2021, and referred the company to EB for action.<sup>321</sup> The Commission finds that Lynches apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>322</sup> Lynches' assigned CBGs in default subject to forfeiture amounted to \$155,242.50, thereby capping the maximum possible forfeiture at \$23,286.38, which is 15% of Lynches' defaulted support subject to forfeiture in Auction 904.<sup>323</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>324</sup> the Commission finds that the forfeiture amount of \$12,000.00 against Lynches is appropriate here.

38. **MCC Network Services, LLC (MCC); FRN: 0025942202; File No.: EB-IHD-22-00033872; NAL/Acct No.: 202232080049.** MCC is an Illinois limited liability company headquartered in Sullivan, Illinois.<sup>325</sup> MCC operates a fiber internet network offering internet and voice services in multiple central Illinois counties.<sup>326</sup> MCC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>327</sup> MCC notified the Commission of its intent to default on its winning bids, including 22 CBGs subject to forfeiture.<sup>328</sup> WCB declared MCC to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>329</sup> The Commission finds that MCC apparently committed 22 violations by defaulting on 22 CBGs subject to forfeiture, which places the company's base forfeiture at \$66,000.00.<sup>330</sup> MCC's winning bids in default subject to forfeiture amounted to \$29,684.40, thereby capping the maximum possible forfeiture at \$4,452.66, which is 15% of

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<sup>317</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>318</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11667, Attach. A: Bids in Default.

<sup>319</sup> *Id.* at 11651, n.1.

<sup>320</sup> Letter from Todd Lantor, Counsel to Lynches River Communications, Inc., to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 29, 2021).

<sup>321</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11667, Attach. A: Bids in Default.

<sup>322</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>323</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11667, Attach. A: Bids in Default (describing the total amount of Lynches' won support that is in default for the identified bids).

<sup>324</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>325</sup> See Illinois Sec. State, *Corporation/LLC Search: MCC Network Services, LLC*, <https://apps.ilsos.gov/corporatellc/CorporateLlcController> <https://businessfilings.sc.gov/BusinessFiling/Entity/Profile/622f7185-d20a-4613-9c56-1235c6e9ab5e> (last visited June 10, 2022).

<sup>326</sup> See MCC, *Fiber Internet*, <https://www.mcc-ixc.com/fiber-internet> (last visited Apr. 15, 2022).

<sup>327</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13918, Attach. A: Winning Bidder Summary.

<sup>328</sup> E-mail from Brittany Walters, Chief Financial Officer, MCC Network Services, LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Feb. 3, 2021, 15:10 EDT).

<sup>329</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11667-68, Attach. A: Bids in Default.

<sup>330</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

MCC's defaulted support subject to forfeiture in Auction 904.<sup>331</sup> Because the \$66,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>332</sup> the Commission finds that the forfeiture amount of \$4,452.66 against MCC is appropriate here.

39. **Mountain West Technologies Corporation (Mountain West); FRN: 0015643182; File No.: EB-IHD-22-00033873; NAL/Acct No.: 202232080050.** Mountain West is a wireless internet service provider headquartered in Casper, Wyoming.<sup>333</sup> Mountain West timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>334</sup> On June 22, 2021, Mountain West notified the Commission of its intent to default on its CBGs subject to forfeiture.<sup>335</sup> WCB declared Mountain West to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>336</sup> The Commission finds that Mountain West apparently committed 15 violations by defaulting on 15 CBGs subject to forfeiture, which places the company's base forfeiture at \$45,000.00.<sup>337</sup> Mountain West's CBGs in default subject to forfeiture amounted to \$112,413.80, thereby capping the maximum possible forfeiture at \$16,862.07, which is 15% of Mountain West's defaulted support subject to forfeiture in Auction 904.<sup>338</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>339</sup> the Commission finds that the forfeiture amount of \$16,862.07 against Mountain West is appropriate here.

40. **NEXT, Powered by NAEC, LLC (NEXT); FRN: 0026157230; File No.: EB-IHD-22-00033874; NAL/Acct No.: 202232080051.** NEXT is a member of the North Arkansas Electric Cooperative located in Salem, Arkansas,<sup>340</sup> and offers broadband internet, telephone, and television services.<sup>341</sup> NEXT was a member of RECC.<sup>342</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>343</sup> In turn, RECC assigned NEXT 47 CBGs in Arkansas.<sup>344</sup> On August 16, 2021, NEXT notified the Commission of its intent to default on one assigned

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<sup>331</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11667-68, Attach. A: Bids in Default (describing the total amount of MCC's won support that is in default for the identified bids).

<sup>332</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>333</sup> Mountain West, *Home*, <https://mwtn.net> (last visited Apr. 28, 2022).

<sup>334</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13920, Attach. A: Winning Bidder Summary.

<sup>335</sup> E-mail from Jim Moberly, President, Mountain West Technologies Corporation, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (June 22, 2021, 19:00 EDT).

<sup>336</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11668-69, Attach. A: Bids in Default.

<sup>337</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>338</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11668-69, Attach. A: Bids in Default (describing the total amount of Mountain West's won support that is in default for the identified bids).

<sup>339</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>340</sup> NEXT, *About Us*, <https://www.mynextfiber.com/about> (last visited May 2, 2022).

<sup>341</sup> NEXT, *Home*, <https://www.mynextfiber.com/> (last visited May 2, 2022).

<sup>342</sup> See RECC Short-Form Filing, at Attach. 2, p. 43.

<sup>343</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>344</sup> *417 Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

CBG subject to forfeiture in Arkansas.<sup>345</sup> On September 3, 2021, NEXT notified the Commission of its intent to default on three additional assigned CBGs subject to forfeiture in Arkansas.<sup>346</sup> WCB declared NEXT to be in default on January 28, 2022, and referred the company to EB for enforcement action.<sup>347</sup> The Commission finds that NEXT apparently committed four violations by defaulting on four CBGs subject to forfeiture, which places the company's base forfeiture at \$12,000.00.<sup>348</sup> NEXT's assigned CBGs in default subject to forfeiture amounted to \$4,533,654.70, thereby capping the maximum possible forfeiture at \$680,048.20, which is 15% of NEXT's defaulted support subject to forfeiture in Auction 904.<sup>349</sup> Because the \$12,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*,<sup>350</sup> the Commission finds that the forfeiture amount of \$12,000.00 against NEXT is appropriate here.

41. **Northwest Fiber, LLC d/b/a Ziplly Fiber (NW Fiber); FRN: 0028765642; File No.: EB-IHD-22-00033875; NAL/Acct No.: 202232080052.** NW Fiber is a Delaware corporation located in Kirkland, Washington.<sup>351</sup> NW Fiber provides residential and business options for internet, phone, and streaming television, voice, and business services.<sup>352</sup> NW Fiber is affiliated with St. John Telephone Company, Inc. (St. John Telco),<sup>353</sup> which timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>354</sup> WCB declared NW Fiber to be in default on December 16, 2021, after NW Fiber filed its long-form application past the January 29, 2021 deadline and WCB denied the company's deadline waiver request,<sup>355</sup> and referred the company to EB for enforcement action.<sup>356</sup> The Commission finds that NW Fiber apparently committed 14 violations by defaulting on 14 CBGs subject to forfeiture, which places the company's base forfeiture at \$42,000.00.<sup>357</sup> NW Fiber's winning CBGs in default amounted to \$6,893,419.20, thereby capping the maximum possible forfeiture at \$1,034,012.88,

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<sup>345</sup> Letter from Todd B. Lantor, Counsel to NEXT, Powered by NAEC, LLC, to Michael Janson, Director, Rural Broadband Auctions Task Force, Federal Communications Commission (Aug. 16, 2021).

<sup>346</sup> Letter from Todd B. Lantor, Counsel to NEXT, Powered by NAEC, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Sept. 3, 2021).

<sup>347</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>348</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>349</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of NEXT's won support that is in default for the identified bids).

<sup>350</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>351</sup> See Delaware Dept. State: Division of Corporations, *General Information Name Search: Northwest Fiber, LLC*, <https://icis.corp.delaware.gov/ecorp/entitysearch/NameSearch.aspx> (last visited May 12, 2022). See also Washington Sec. State, Corporations, *Business Search: Northwest Fiber, LLC*, <https://ccfs.sos.wa.gov/#/BusinessSearch> (last visited May 12, 2022).

<sup>352</sup> See Ziplly Fiber, *About Us*, <https://zipllyfiber.com/services> (last visited Apr. 29, 2022).

<sup>353</sup> See St. John Telco, Auction 904 FCC Form 175 Application, File No. 0009150005, at Consortium Member List, (filed July 10, 2020); [https://auctionfiling.fcc.gov/form175/search175/results\\_detail\\_appInfo.htm?searchLevel=B&application\\_id=12175733&file\\_num=0009150005&version=2&Pstart=1&auction\\_id=904](https://auctionfiling.fcc.gov/form175/search175/results_detail_appInfo.htm?searchLevel=B&application_id=12175733&file_num=0009150005&version=2&Pstart=1&auction_id=904).

<sup>354</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13929, Attach. A: Winning Bidder Summary.

<sup>355</sup> *The Rural Digital Opportunity Fund et al.*, AU Docket No. 20-34 et al., Order, DA 21-1311 (WCB/OEA Oct. 20, 2021).

<sup>356</sup> *December 2021 Default Public Notice* at 4-5, n.38 & Attach. B: Bids in Default.

<sup>357</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

which is 15% of NW Fiber's defaulted support subject to forfeiture in Auction 904.<sup>358</sup> Because the \$42,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$42,000.00 against NW Fiber is appropriate here.<sup>359</sup>

42. **OEConnect, LLC (OEConnect); FRN: 0027468826; File No.: EB-IHD-22-00033876; NAL/Acct No.: 202232080053.** OEConnect is owned by Ostego Electric Cooperative Inc., and located in Hartwick, New York.<sup>360</sup> OEConnect offers fiber-to-home internet and VoIP phone services to residents and businesses.<sup>361</sup> OEConnect was a member of RECC.<sup>362</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>363</sup> In turn, RECC assigned OEConnect 26 CBGs in New York.<sup>364</sup> On January 26, OEConnect notified the Commission of its intent to default on three of its assigned CBGs subject forfeiture.<sup>365</sup> WCB declared OEConnect to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>366</sup> The Commission finds that OEConnect apparently committed three violations by defaulting on three CBGs subject to forfeiture, which places the company's base forfeiture at \$9,000.00.<sup>367</sup> OEConnect's assigned CBGs in default subject to forfeiture amounted to \$1,458,348.70, thereby capping the maximum possible forfeiture at \$218,752.30, which is 15% of OEConnect's defaulted support subject to forfeiture in Auction 904.<sup>368</sup> Because the \$9,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the \$9,000.00 forfeiture amount against OEConnect is appropriate here.<sup>369</sup>

43. **One Ring Networks, Inc. (One Ring); FRN: 0027986132; File No.: EB-IHD-22-00033877; NAL/Acct No.: 202232080054.** One Ring is located in Athens, Texas.<sup>370</sup> One Ring offers business broadband services including fixed wireless, fiber and hosted voice in Georgia, Texas, California, Arizona, and Maryland.<sup>371</sup> One Ring also offers residential internet services.<sup>372</sup> One Ring

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<sup>358</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of NW Fiber's won support that is in default for the identified bids).

<sup>359</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>360</sup> OEConnect, *About Us*, <https://oeconnect.coop/about-oeconnect> (last visited May 4, 2022).

<sup>361</sup> OEConnect, *Home*, <https://oeconnect.coop/> (last visited May 4, 2022).

<sup>362</sup> See RECC Short- Form Filing, at Attach. 2, pp. 50-51.

<sup>363</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>364</sup> *Id.*

<sup>365</sup> Letter from OEConnect, LLC, to Federal Communications Commission (Jan. 26, 2021).

<sup>366</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default.

<sup>367</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>368</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default (describing the total amount of OEConnect's won support that is in default for the identified bids).

<sup>369</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>370</sup> One Ring, *About Us*, <https://oneringnetworks.com/about-us/> (last visited May 3, 2022).

<sup>371</sup> One Ring, *Services*, <https://oneringnetworks.com/internet-services/> (last visited May 3, 2022).

<sup>372</sup> One Ring, *Residential Service*, <https://oneringnetworks.com/residential-service/> (last visited May 3, 2022).

timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>373</sup> On June 7, 2021, One Ring notified the Commission of its intent to default on two CBGs in Maryland.<sup>374</sup> WCB declared One Ring to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>375</sup> On August 17, 2021, One Ring informed the Commission of its intent to default on its remaining CBGs.<sup>376</sup> WCB declared One Ring to be in further default on December 16, 2021, and again referred the company to EB for enforcement action.<sup>377</sup> The Commission finds that One Ring apparently committed 52 violations by defaulting on 52 CBGs subject to forfeiture, which places the company's base forfeiture at \$156,000.00.<sup>378</sup> One Ring's CBGs in default subject to forfeiture amounted to \$49,557.80, thereby capping the maximum possible forfeiture at \$7,433.67, which is 15% of One Ring's defaulted support subject to forfeiture in Auction 904.<sup>379</sup> Because the \$156,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$7,433.67 against One Ring is appropriate here.<sup>380</sup>

44. **Palmetto Link, LLC (Palmetto); FRN: 0029732948; File No.: EB-IHD-22-00033878; NAL/Acct No.: 202232080055.** Palmetto is a South Carolina company located in Varnville, South Carolina.<sup>381</sup> Palmetto provides residential and business options for internet, video, and phone.<sup>382</sup> Palmetto was a member of RECC.<sup>383</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>384</sup> In turn, RECC assigned Palmetto two CBGs in South Carolina.<sup>385</sup> Palmetto failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>386</sup> On January 29, 2021, Palmetto notified the Commission of its intent to default on both of its assigned CBGs subject to forfeiture in South Carolina.<sup>387</sup> WCB declared Palmetto to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>388</sup> The Commission finds that Palmetto apparently committed two violations by defaulting on two of its assigned CBGs subject to forfeiture,

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<sup>373</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13922, Attach. A: Winning Bidder Summary.

<sup>374</sup> One Ring Networks, Inc., Petition for Waiver, WC Docket No. 19-126 *et al.* (filed June 7, 2021).

<sup>375</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default.

<sup>376</sup> E-mail from Sotheara Leang, Vice President of Operations, One Ring Networks, Inc., Attach.: Surrender of A904 CBGs, at 1, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Aug. 17, 2021, 15:36 EDT).

<sup>377</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>378</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>379</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default (describing the total amount of One Ring's won support that is in default for the identified bids).

<sup>380</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>381</sup> Palmetto, *Home*, <https://www.palmettolink.us/> (last visited May 2, 2022).

<sup>382</sup> *Id.*

<sup>383</sup> See RECC Short-Form Filing, at Attach. 2, p. 52-53.

<sup>384</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>385</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default.

<sup>386</sup> *Id.* at 11651, n.1.

<sup>387</sup> Letter from Todd B. Lantor, Counsel to Palmetto Link, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>388</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default.

which places the company's base forfeiture at \$6,000.00.<sup>389</sup> Palmetto's assigned CBGs in default subject to forfeiture amounted to \$33,941.70, thereby capping the maximum possible forfeiture at \$5,091.25, which is 15% of Palmetto's defaulted support subject to forfeiture in Auction 904.<sup>390</sup> Because the \$6,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$5,091.25 against Palmetto is appropriate here.<sup>391</sup>

45. **Pierce Pepin Cooperative Services (Pierce Pepin); FRN: 0005235056; File No.: EB-IHD-22-00033879; NAL/Acct No.: 202232080056.** Pierce Pepin is a Wisconsin cooperative located in Ellsworth, Wisconsin.<sup>392</sup> Pierce Pepin provides high speed broadband internet for Western Wisconsin through its subsidiary SwiftCurrent Connect.<sup>393</sup> Pierce Pepin was a member of RECC.<sup>394</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>395</sup> In turn, RECC assigned Pierce Pepin three CBGs in Wisconsin.<sup>396</sup> Pierce Pepin failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>397</sup> On February 1, 2021, Pierce Pepin notified the Commission of its intent to default on three of its assigned CBGs subject to forfeiture in Wisconsin.<sup>398</sup> WCB declared Pierce Pepin to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>399</sup> The Commission finds that Pierce Pepin apparently committed three violations by defaulting on three CBGs subject to forfeiture, which places the company's base forfeiture at \$9,000.00.<sup>400</sup> Pierce Pepin's assigned CBGs in default subject to forfeiture amounted to \$17,034.00, thereby capping the maximum possible forfeiture at \$2,555.10, which is 15% of Pierce Pepin's defaulted support subject to forfeiture in Auction 904.<sup>401</sup> Because the \$9,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$2,555.10 against Pierce Pepin is appropriate here.<sup>402</sup>

46. **QCOL, Inc. (QCOL); FRN: 0019663095; File No.: EB-IHD-22-00033880; NAL/Acct No.: 202232080057.** QCOL is a Pennsylvania company that offers high speed internet, TV and

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<sup>389</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, at para. 115.

<sup>390</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11670, Attach. A: Bids in Default (describing the total amount of Palmetto's won support that is in default for the identified bids).

<sup>391</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>392</sup> Pierce Pepin, *Home*, <https://piercepepin.coop/> (last visited May 2, 2022).

<sup>393</sup> See SwiftCurrent Connect, *About Us*, <https://swiftcurrent.coop/about-us> (last visited May 2, 2022).

<sup>394</sup> See RECC Short-Form Filing, at Attach. 2, p. 56.

<sup>395</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>396</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default.

<sup>397</sup> *Id.* at 11651, n.1.

<sup>398</sup> Letter from Todd B. Lantor, Counsel to Pierce Pepin Cooperative Services, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 1, 2021).

<sup>399</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default.

<sup>400</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>401</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default (describing the total amount of Pierce Pepin's won support that is in default for the identified bids).

<sup>402</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

streaming options, and VoIP services.<sup>403</sup> QCOL timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>404</sup> On March 23, 2021, QCOL notified the Commission of its intent to default on three of its CBGs subject to forfeiture in Pennsylvania.<sup>405</sup> WCB declared QCOL to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>406</sup> The Commission finds that QCOL apparently committed three violations by defaulting on three CBGs subject to forfeiture, which places the company's base forfeiture at \$9,000.00.<sup>407</sup> QCOL's CBGs in default subject to forfeiture amounted to \$231,322.00, thereby capping the maximum possible forfeiture at \$34,698.30, which is 15% of QCOL's defaulted support subject to forfeiture in Auction 904.<sup>408</sup> Because the \$9,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$9,000.00 against QCOL is appropriate here.<sup>409</sup>

47. **Redzone Wireless, LLC (Redzone); FRN: 0026369231; File No.: EB-IHD-22-00033881; NAL/Acct No.: 202232080058.** Redzone is located in Rockland, Maine and provides wireless broadband services to Maine communities and businesses.<sup>410</sup> Redzone timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>411</sup> On May 20, 2021, Redzone notified the Commission of its intent to default on one CBG subject to forfeiture in Maine.<sup>412</sup> WCB declared Redzone to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>413</sup> The Commission finds that Redzone apparently committed one violation by defaulting on one CBG subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>414</sup> Redzone's CBG in default subject to forfeiture amounted to \$63,216.80, thereby capping the maximum possible forfeiture at \$9,482.52, which is 15% of Redzone's defaulted support subject to forfeiture in Auction 904.<sup>415</sup> Because the base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$3,000.00 against Redzone is appropriate here.<sup>416</sup>

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<sup>403</sup> QCOL, Home, <https://qcol.secureserversites.net/> (last visited May 3, 2022).

<sup>404</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13923, Attach. A: Winning Bidder Summary.

<sup>405</sup> E-mail from Doug Friend, QCOL, Inc., to Ian Forbes, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Mar. 23, 2021, 12:10 EDT).

<sup>406</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default.

<sup>407</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>408</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default (describing the total amount of QCOL's won support that is in default for the identified bids).

<sup>409</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>410</sup> Redzone, *About Us*, <https://www.redzonewireless.com/company> (last visited June 1, 2022).

<sup>411</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13923, Attach. A: Winning Bidder Summary.

<sup>412</sup> E-mail from Stephen E. Coran, Counsel to Redzone Wireless, LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (May 20, 2021, 14:21 EDT).

<sup>413</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default.

<sup>414</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>415</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default (describing the total amount of Redzone's won support that is in default for the identified bid).

<sup>416</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

48. **RiverStreet Communications of North Carolina, Inc. (RiverStreet North Carolina); FRN: 0025165895; File No.: EB-IHD-22-00033882; NAL/Acct No.: 202232080059.** RiverStreet North Carolina provides voice, broadband, and entertainment services,<sup>417</sup> and is an extension of Wilkes Telephone Membership Corporation (Wilkes),<sup>418</sup> a North Carolina cooperative headquartered in Wilkesboro, North Carolina.<sup>419</sup> Wilkes timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>420</sup> In turn, Wilkes assigned RiverStreet North Carolina 10 CBGs.<sup>421</sup> On January 29, 2021, RiverStreet North Carolina notified the Commission of its intent to default on five of its assigned CBGs subject to forfeiture.<sup>422</sup> WCB declared RiverStreet North Carolina to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>423</sup> The Commission finds that RiverStreet North Carolina apparently committed five violations by defaulting on five CBGs, which places the company's base forfeiture at \$15,000.00.<sup>424</sup> RiverStreet North Carolina's assigned CBGs in default subject to forfeiture amounted to \$42,313.80, thereby capping the maximum possible forfeiture at \$6,347.07, which is 15% of RiverStreet North Carolina's defaulted support subject to forfeiture in Auction 904.<sup>425</sup> Because the \$15,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$6,347.07 against RiverStreet North Carolina is appropriate here.<sup>426</sup>

49. **RiverStreet Communications of Virginia, Inc. (RiverStreet Virginia); FRN: 0025165903; File No.: EB-IHD-22-00033883; NAL/Acct No.: 202232080060.** RiverStreet Virginia provides voice, broadband, and entertainment services,<sup>427</sup> and is an extension of Wilkes,<sup>428</sup> a North Carolina cooperative headquartered in Wilkesboro, North Carolina.<sup>429</sup> Wilkes timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>430</sup> In turn, Wilkes

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<sup>417</sup> RiverStreet Networks, *About Us*, <https://www.wilkes.net/contact-us/?t=r> (last visited Apr. 28, 2022).

<sup>418</sup> *Id.*

<sup>419</sup> Wilkes, *Contact Us*, <https://www.wilkes.net/contact-us/?t=r> (last visited Apr. 28, 2022).

<sup>420</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13930, Attach. A: Winning Bidder Summary.

<sup>421</sup> *417 Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>422</sup> E-mail from Lans Chase, Consultant for Eric Cramer, President and Chief Executive Officer of RiverStreet Communications of North Carolina, Inc., to Heidi Lankau, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Jan. 29, 2021, 11:53 EDT).

<sup>423</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default.

<sup>424</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>425</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11671, Attach. A: Bids in Default (describing the total amount of RiverStreet North Carolina's won support that is in default for the identified bids).

<sup>426</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>427</sup> RiverStreet Networks, *About Us*, <https://www.wilkes.net/contact-us/?t=r> (last visited Apr. 28, 2022).

<sup>428</sup> *Id.*

<sup>429</sup> Wilkes, *Contact Us*, <https://www.wilkes.net/contact-us/?t=r> (last visited Apr. 28, 2022).

<sup>430</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13930, Attach. A: Winning Bidder Summary.



assigned RiverStreet Virginia 136 CBGs.<sup>431</sup> On January 29, 2021, RiverStreet Virginia notified the Commission of its intent to default on 39 of its assigned CBGs subject to forfeiture.<sup>432</sup> WCB declared RiverStreet Virginia to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>433</sup> The Commission finds that RiverStreet Virginia apparently committed 39 violations by defaulting on 39 of its assigned CBGs subject to forfeiture, which places the company's base forfeiture at \$117,000.00.<sup>434</sup> RiverStreet Virginia's assigned CBGs in default subject to forfeiture amounted to \$3,365,125.50, thereby capping the maximum possible forfeiture at \$504,768.82, which is 15% of RiverStreet Virginia's defaulted support subject to forfeiture in Auction 904.<sup>435</sup> Because the \$117,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$117,000.00 against RiverStreet Virginia is appropriate here.<sup>436</sup>

50. **The Seimitsu Corporation (Seimitsu); FRN: 0017360827; File No.: EB-IHD-22-00033884; NAL/Acct No.: 202232080061.** Seimitsu is a corporation located in Savannah, Georgia.<sup>437</sup> Seimitsu provides internet on a fiber network and telecommunications service.<sup>438</sup> Seimitsu was a member of NexTier.<sup>439</sup> NexTier timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>440</sup> In turn, NexTier assigned Seimitsu 31 of its CBGs.<sup>441</sup> On January 21, 2022, Seimitsu notified the Commission of its intent to default on all of its assigned CBGs, of which 27 are subject to forfeiture.<sup>442</sup> WCB declared Seimitsu to be in default on January 28, 2022, and referred the matter to EB for enforcement action.<sup>443</sup> The Commission finds that Seimitsu apparently committed 27 violations by defaulting on all of its assigned CBGs, of which 27 CBGs are subject to forfeiture, which places the company's base forfeiture at \$81,000.00.<sup>444</sup> Seimitsu's assigned CBGs in default subject to forfeiture amounted to \$125,191.90, thereby capping the maximum possible forfeiture at \$18,778.78,

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<sup>431</sup> *417 Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>432</sup> E-mail from Lans Chase, Consultant for Eric Cramer, President and Chief Executive Officer for RiverStreet Communications of Virginia, Inc., to Heidi Lankau, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Jan. 29, 2021, 11:53 EDT).

<sup>433</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11671-72, Attach. A: Bids in Default.

<sup>434</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>435</sup> *See id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11671-72, Attach. A: Bids in Default (describing the total amount of RiverStreet Virginia's won support that is in default for the identified bids).

<sup>436</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>437</sup> Seimitsu, *Internet and Voice*, <https://www.seimitsu.com/fiber-internet-and-voice> (last visited Apr. 28, 2022).

<sup>438</sup> *Id.*

<sup>439</sup> *See* NexTier Short-Form Filing.

<sup>440</sup> *See Winning Bidders Public Notice*, 35 FCC Rcd at 13920, Attach. A: Winning Bidder Summary.

<sup>441</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results/> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>442</sup> E-mail from Steve Coran, Counsel to The Seimitsu Corporation, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Jan. 21, 2021, 16:05 EDT).

<sup>443</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>444</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

which is 15% of Seimitsu's defaulted support subject to forfeiture in Auction 904.<sup>445</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$18,778.78 against Seimitsu is appropriate here.<sup>446</sup>

51. **Shelby Fiber, LLC (Shelby Fiber); FRN: 0029734407; File No.: EB-IHD-22-00033885; NAL/Acct No.: 202232080062.** Shelby Fiber is a wholly owned member of Shelby Electric Cooperative, Inc. and is located in Shelbyville, Illinois.<sup>447</sup> Shelby Fiber was a member of RECC.<sup>448</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>449</sup> In turn, RECC assigned Shelby Fiber one CBG in Illinois.<sup>450</sup> Shelby Fiber failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>451</sup> On January 29, 2021, Shelby Fiber notified the Commission of its intent to default on its one assigned CBG subject to forfeiture in Illinois.<sup>452</sup> WCB declared Shelby Fiber to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>453</sup> The Commission finds that Shelby Fiber apparently committed one violation by defaulting on one assigned CBG subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>454</sup> Shelby Fiber's assigned CBG in default subject to forfeiture amounted to \$12,408.00, thereby capping the maximum possible forfeiture at \$1,861.20, which is 15% of Shelby Fiber's defaulted support subject to forfeiture in Auction 904.<sup>455</sup> Because the \$3,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$1,861.20 against Shelby Fiber is appropriate here.<sup>456</sup>

52. **Snake River Solutions, LLC (Snake River); FRN: 0025433442; File No.: EB-IHD-22-00033886; NAL/Acct No.: 202232080063.** Snake River is a limited liability company formed in Wyoming.<sup>457</sup> Snake River was a member of NexTier.<sup>458</sup> NexTier timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>459</sup> In turn, NexTier assigned Snake

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<sup>445</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Seimitsu's won support that is in default for the identified bids).

<sup>446</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>447</sup> See RECC Short-Form Filing, at Attach. 2, pp. 63-64.

<sup>448</sup> *Id.*

<sup>449</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>450</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11672, Attach. A: Bids in Default.

<sup>451</sup> *Id.* at 11651, n.1.

<sup>452</sup> Letter from Todd B. Lantor, Counsel to Shelby Fiber, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>453</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11672, Attach. A: Bids in Default.

<sup>454</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>455</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11672, Attach. A: Bids in Default (describing the total amount of Shelby Fiber's won support that is in default for the identified bids).

<sup>456</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>457</sup> See NexTier Short-Form Filing.

<sup>458</sup> *Id.*

<sup>459</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13920, Attach. A: Winning Bidder Summary.

River four CBGs.<sup>460</sup> On April 2, 2021, Snake River notified the Commission of its intent to default on two of its assigned CBGs subject to forfeiture in Oregon.<sup>461</sup> WCB declared Snake River to be in default on July 26, 2021, and referred the matter to EB for enforcement action.<sup>462</sup> The Commission finds that Snake River apparently committed two violations by defaulting on two assigned CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>463</sup> Snake River's assigned CBGs in default subject to forfeiture amounted to \$141,983.50, thereby capping the maximum possible forfeiture at \$21,297.52, which is 15% of Snake River's defaulted support subject to forfeiture in Auction 904.<sup>464</sup> Because the \$6,000.00 base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$6,000.00 is appropriate here.<sup>465</sup>

53. **Southwest Arkansas Telecommunications & Technology, Inc. d/b/a Four States Fiber (Southwest Arkansas); FRN: 0029663226; File No.: EB-IHD-22-00033888; NAL/Acct No.: 20232080064.** Southwest Arkansas is a member of the Southwest Arkansas Electric Cooperative located in Texarkana, Arkansas.<sup>466</sup> Southwest Arkansas offers residential and business options for internet and phone.<sup>467</sup> Southwest Arkansas was a member of RECC.<sup>468</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>469</sup> In turn, RECC assigned Southwest Arkansas 93 CBGs.<sup>470</sup> On January 25, 2021, Southwest Arkansas notified the Commission of its intent to default on one of its assigned CBGs subject to forfeiture.<sup>471</sup> WCB declared Southwest Arkansas to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>472</sup> The Commission finds that Southwest Arkansas apparently committed one violation by defaulting on one of its assigned CBGs subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>473</sup> Southwest Arkansas' assigned CBG in default subject to forfeiture amounted to \$165,929.00, thereby capping the maximum possible forfeiture at \$24,899.35, which is 15% of Southwest Arkansas' defaulted

<sup>460</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 8, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>461</sup> Letter from Kameron Blomquist, Managing Member, Snake River Solutions, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (Apr. 2, 2021).

<sup>462</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11672, Attach. A: Bids in Default.

<sup>463</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>464</sup> *See id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11672, Attach. A: Bids in Default (describing the total amount of Snake River's won support that is in default for the identified bids).

<sup>465</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>466</sup> *See* Four States Fiber, *Contact*, <https://www.fourstatesfiber.com/contact/> (last visited May 2, 2022).

<sup>467</sup> *See* Four States Fiber, *Home*, <https://www.fourstatesfiber.com/> (last visited on May 2, 2022).

<sup>468</sup> *See* RECC Short-Form Filing, at Attach. 2, pp. 68-69.

<sup>469</sup> *See Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>470</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 10, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>471</sup> Letter from Southwest Arkansas Telecommunications & Technology, Inc., to Federal Communications Commission (Jan. 25, 2021).

<sup>472</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default.

<sup>473</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

support subject to forfeiture in Auction 904.<sup>474</sup> Because the \$3,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$3,000.00 against Southwest Arkansas is appropriate here.<sup>475</sup>

54. **South Central Power, Inc.<sup>476</sup> (South Central Power); FRN: 0027611383; File No.: EB-IHD-22-00033887; NAL/Acct No.: 202232080065.** South Central Power is an Ohio cooperative headquartered in Lancaster, Ohio.<sup>477</sup> South Central Power was a member of RECC.<sup>478</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>479</sup> In turn, RECC assigned South Central Power 21 of its CBGs.<sup>480</sup> South Central Power failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>481</sup> On January 29, 2021, South Central Power notified the Commission of its intent to default on all of its assigned CBGs.<sup>482</sup> WCB declared South Central Power to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>483</sup> The Commission finds that South Central Power apparently committed 20 violations by defaulting on 21 CBGs, of which 20 CBGs are subject to forfeiture, which places the company's base forfeiture at \$60,000.00.<sup>484</sup> South Central Power's assigned CBGs in default subject to forfeiture amounted to \$870,351.50, thereby capping the maximum possible forfeiture at \$130,552,72.00 which is 15% of South Central Power's defaulted support subject to forfeiture in Auction 904.<sup>485</sup> Because the \$60,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$60,000.00 against South Central Power is appropriate here.<sup>486</sup>

55. **Steuben County Rural Electric Membership Corporation, Inc. (Steuben County); FRN: 0005273305; File No.: EB-IHD-22-00033889; NAL/Acct No.: 202232080066.** Steuben County

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<sup>474</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default (describing the total amount of Southwest Arkansas' won support that is in default for the identified bids).

<sup>475</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>476</sup> On April 12, 2022, the entity identified as South Central Power, Inc., notified the Commission that the correct entity name was South Central Power Company. E-mail from Todd B. Lantor, Counsel to South Central Power, to Heidi Lankau, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Apr. 12, 2022, 17:07 EDT).

<sup>477</sup> South Central Power Co., *About Us*, <https://www.southcentralpower.com/electrical-services/> (last visited Apr. 28, 2022).

<sup>478</sup> See RECC Short-Form Filing, at Attach. 2, pp. 65-66.

<sup>479</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>480</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11672-73, Attach. A: Bids in Default.

<sup>481</sup> *Id.* at 11651, n.1.

<sup>482</sup> Letter from Todd B. Lantor, Counsel to South Central Power, Co., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>483</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11672-73, Attach. A: Bids in Default.

<sup>484</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>485</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11672-73, Attach. A: Bids in Default (describing the total amount of South Central Power's won support that is in default for the identified bids).

<sup>486</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

is an Indiana energy cooperative located in Angola, Indiana.<sup>487</sup> Steuben County offers broadband internet options to residents and businesses.<sup>488</sup> Steuben County was a member of RECC.<sup>489</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>490</sup> In turn, RECC assigned Steuben County five CBGs.<sup>491</sup> Steuben County failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>492</sup> On January 29, 2021, Steuben County notified the Commission of its intent to default its five assigned CBGs subject to forfeiture in Indiana.<sup>493</sup> WCB declared Steuben County to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>494</sup> The Commission finds that Steuben County apparently committed five violations by defaulting on five assigned CBGs subject to forfeiture, which places the company's base forfeiture at \$15,000.00.<sup>495</sup> Steuben County's assigned CBGs in default subject to forfeiture amounted to \$179,552.70, thereby capping the maximum possible forfeiture at \$26,932.91, which is 15% of Steuben County's defaulted support subject to forfeiture in Auction 904.<sup>496</sup> Because the \$15,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$15,000.00 against Steuben County is appropriate here.<sup>497</sup>

56. **Talkie Communications, Inc. (Talkie Communications); FRN: 0024272841; File No.: EB-IHD-22-00033890; NAL/Acct No.: 202232080067.** Talkie Communications is a corporation located in Chestertown, Maryland.<sup>498</sup> Talkie Communications offers a 100% fiber optic network in rural Kent County, Maryland.<sup>499</sup> Talkie Communications timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>500</sup> On November 4, 2021, Talkie Communications notified the Commission of its intent to default on one CBG subject to forfeiture.<sup>501</sup> WCB declared Talkie Communications to be in default on January 28, 2022, and referred the company to EB for enforcement action.<sup>502</sup> The Commission finds that Talkie Communications apparently committed one violation by

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<sup>487</sup> Steuben County, *Home*, <https://www.remsteuben.com/> (last visited May 2, 2022).

<sup>488</sup> Steuben County, *Broadband Packages / Pricing*, <https://www.remsteuben.com/packages-pricing> (last visited May 2, 2022).

<sup>489</sup> See RECC Short-Form Filing, at Attach. 2, pp. 69-70.

<sup>490</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>491</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default.

<sup>492</sup> *Id.* at 11651, n.1.

<sup>493</sup> Letter from Todd B. Lantor, Counsel to Steuben County Rural Electric Membership Cooperation, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Jan. 29, 2021).

<sup>494</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default.

<sup>495</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>496</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default (describing the total amount of Steuben County's won support that is in default for the identified bids).

<sup>497</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>498</sup> Talkie Communications, *About Us*, <https://talkiefiber.com/> (last visited Apr. 28, 2022).

<sup>499</sup> Talkie Communications, *Talkie Fiber*, <https://talkiefiber.com/> (last visited Apr. 28, 2022).

<sup>500</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13929, Attach. A: Winning Bidder Summary.

<sup>501</sup> Letter from Philip J. Macres, Counsel to Talkie Communications, Inc., to Michael Janson, Director, Rural Broadband Auctions Task Force, Federal Communications Commission (Nov. 4, 2021).

<sup>502</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default.

defaulting on one CBG subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>503</sup> Talkie Communications' CBG subject to forfeiture amounted to \$121,710.00, thereby capping the maximum possible forfeiture at \$18,256.50, which is 15% of Talkie Communications' defaulted support subject to forfeiture in Auction 904.<sup>504</sup> Because the \$3,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$3,000.00 against Talkie Communications is appropriate here.<sup>505</sup>

57. **Tennessee Valley Electric Cooperative (TVEC); FRN: 0029706207; File No.: EB-IHD-22-00033891; NAL/Acct No.: 202232080068.** TVEC is an electric utility cooperative with headquarters in Savannah, Tennessee.<sup>506</sup> TVEC was a member of RECC.<sup>507</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>508</sup> In turn, RECC assigned TVEC two of its CBGs.<sup>509</sup> TVEC failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>510</sup> On February 1, 2021, TVEC notified the Commission of its intent to default on both of its CBGs.<sup>511</sup> WCB declared TVEC to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>512</sup> The Commission finds that TVEC committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>513</sup> TVEC's assigned CBGs in default subject to forfeiture amounted to \$215,862.00, thereby capping the maximum possible forfeiture at \$32,379.30, which is 15% of TVEC's defaulted support subject to forfeiture in Auction 904.<sup>514</sup> Because the \$6,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$6,000.00 against TVEC is appropriate here.<sup>515</sup>

58. **Time Warner Cable Information Services (California), LLC (TWC California); FRN: 0011752953; File No.: EB-IHD-22-00033892; NAL/Acct No.: 202232080069.** TWC California is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>516</sup> Charter participated in

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<sup>503</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>504</sup> See *id.* at 736, para. 117 (establishing a 15% cap of forfeitures). *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of Talkie Communications' won support that is in default for the identified bids).

<sup>505</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>506</sup> TVEC, *About Your TVEC*, <https://www.tvec.com/about.html> (last visited Apr. 28, 2022).

<sup>507</sup> See RECC Short-Form Filing, at Attach. 2, p. 70.

<sup>508</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>509</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default.

<sup>510</sup> *Id.* at 11651, n.1.

<sup>511</sup> Letter from Todd B. Lantor, Counsel to Tennessee Valley Electric Cooperative, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 1, 2021).

<sup>512</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default.

<sup>513</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>514</sup> See *id.* at 736, para. 117 (establishing a 15% cap of forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default (describing the total amount of TVEC's won support that is in default for the identified bids).

<sup>515</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>516</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

Auction 904 through another subsidiary called CCO.<sup>517</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>518</sup> In turn, CCO assigned to TWC California, 15 of its CBGs.<sup>519</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including eight of TWC California's assigned CBGs subject to forfeiture.<sup>520</sup> WCB declared TWC California to be in default on January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>521</sup> The Commission finds that TWC California apparently committed eight violations by defaulting on eight CBGs subject to forfeiture, which places the company's base forfeiture at \$24,000.00.<sup>522</sup> TWC California's CBGs in default subject to forfeiture amounted to \$29,854.20, thereby capping the maximum possible forfeiture at \$4,478.13, which is 15% of TWC California's defaulted support subject to forfeiture in Auction 904.<sup>523</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$4,478.13 against TWC California is appropriate here.<sup>524</sup>

59. **Time Warner Cable Information Services (Indiana), LLC (TWC Indiana); FRN: 0012538229; File No.: EB-IHD-22-00033893; NAL/Acct No.: 202232080070.** TWC Indiana is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>525</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>526</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>527</sup> In turn, CCO assigned TWC Indiana 320 of its CBGs.<sup>528</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including 92 of TWC Indiana's assigned CBGs subject to forfeiture.<sup>529</sup> WCB declared TWC Indiana to be in default on July 26, 2021, January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>530</sup> The Commission finds that TWC Indiana apparently committed 92 violations by defaulting on 92 CBGs subject to forfeiture, which places

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<sup>517</sup> *Id.*

<sup>518</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>519</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>520</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>521</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>522</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>523</sup> See *id.* at 736, para. 117 (establishing a 15% on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11673, Attach. A: Bids in Default (describing the total amount of TWC California's won support that is in default for the identified bids).

<sup>524</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>525</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>526</sup> *Id.*

<sup>527</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>528</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>529</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>530</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11673-77, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

the company's base forfeiture at \$276,000.00.<sup>531</sup> TWC Indiana's assigned CBGs in default subject to forfeiture amounted to \$10,703,926.70, thereby capping the maximum possible forfeiture at \$1,605,589.00, which is 15% of TWC Indiana's defaulted support subject to forfeiture in Auction 904.<sup>532</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$276,000.00 against TWC Indiana is appropriate here.<sup>533</sup>

60. **Time Warner Cable Information Services (Kentucky), LLC (TWC Kentucky); FRN: 0014766604; File No.: EB-IHD-22-00033894; NAL/Acct No.: 202232080071.** TWC Kentucky is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>534</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>535</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>536</sup> In turn, CCO assigned TWC Kentucky 185 of its CBGs.<sup>537</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including 11 of TWC Kentucky's assigned CBGs subject to forfeiture.<sup>538</sup> WCB declared TWC Kentucky to be in default on July 26, 2021; January 28, 2022; and March 10, 2022, and referred the company to EB for enforcement action.<sup>539</sup> The Commission finds that TWC Kentucky apparently committed 11 violations by defaulting on the 11 CBGs subject to forfeiture, which places the company's base forfeiture at \$33,000.00.<sup>540</sup> TWC Kentucky's assigned CBGs in default subject to forfeiture amounted to \$887,878.60, thereby capping the maximum possible forfeiture at \$133,181.79, which is 15% of TWC Kentucky's defaulted support subject to forfeiture in Auction 904.<sup>541</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$33,000.00 against TWC Kentucky is appropriate here.<sup>542</sup>

61. **Time Warner Cable Information Services (Massachusetts), LLC (TWC Massachusetts); FRN: 0013182712; File No.: EB-IHD-22-00033895; NAL/Acct No.: 202232080072.**

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<sup>531</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>532</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11673-77, Attach. A: Bids in Default (describing the total amount of TWC Indiana's won support that is in default for the identified bids).

<sup>533</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>534</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>535</sup> *Id.*

<sup>536</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>537</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>538</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>539</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11677-78, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>540</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>541</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11677-78, Attach. A: Bids in Default (describing the total amount of TWC Kentucky's won support that is in default for the identified bids).

<sup>542</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.



TWC Massachusetts is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>543</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>544</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>545</sup> In turn, CCO assigned TWC Massachusetts 42 of its CBGs.<sup>546</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including 33 of TWC Massachusetts' assigned CBGs subject to forfeiture.<sup>547</sup> WCB declared TWC Massachusetts to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>548</sup> The Commission finds that TWC Massachusetts apparently committed 33 violations by defaulting on 33 CBGs subject to forfeiture, which places the company's base forfeiture at \$99,000.00.<sup>549</sup> TWC Massachusetts' assigned CBGs in default subject to forfeiture amounted to \$12,564,766.40, thereby capping the maximum possible forfeiture at \$1,884,714.96, which is 15% of TWC Massachusetts' defaulted support subject to forfeiture in Auction 904.<sup>550</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$99,000.00 against TWC Massachusetts is appropriate here.<sup>551</sup>

**62. Time Warner Cable Information Services (New Hampshire), LLC (TWC New Hampshire); FRN: 0012220422; File No.: EB-IHD-22-00033896; NAL/Acct No.: 202232080073.** TWC New Hampshire is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>552</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>553</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>554</sup> In turn, CCO assigned TWC New Hampshire seven of its CBGs.<sup>555</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including two of TWC New Hampshire's assigned CBGs subject to forfeiture.<sup>556</sup> WCB declared TWC New Hampshire to be in

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<sup>543</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>544</sup> *Id.*

<sup>545</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>546</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>547</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>548</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11678-79, Attach. A: Bids in Default.

<sup>549</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>550</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11678-79, Attach. A: Bids in Default (describing the total amount of TWC Massachusetts' won support that is in default for the identified bids).

<sup>551</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>552</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>553</sup> *Id.*

<sup>554</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>555</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>556</sup> See, e.g., *Charter Summary Default E-mail*.

default on March 10, 2022, and referred the company to EB for enforcement action.<sup>557</sup> The Commission finds that TWC New Hampshire apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>558</sup> TWC New Hampshire's assigned CBGs in default subject to forfeiture amounted to \$776,215.60, thereby capping the maximum possible forfeiture at \$116,432.34, which is 15% of TWC New Hampshire's defaulted support subject to forfeiture in Auction 904.<sup>559</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$6,000.00 against TWC New Hampshire is appropriate here.<sup>560</sup>

63. **Time Warner Cable Information Services (North Carolina), LLC (TWC North Carolina); FRN: 0010669430; File No.: EB-IHD-22-00033897; NAL/Acct No.: 202232080074.** TWC North Carolina is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>561</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>562</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>563</sup> In turn, CCO assigned TWC North Carolina 716 of its CBGs.<sup>564</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including seven of TWC North Carolina's assigned CBGs subject to forfeiture.<sup>565</sup> WCB declared TWC North Carolina to be in default on July 26, 2021; January 28, 2022; and March 10, 2022, and referred the company to EB for enforcement action.<sup>566</sup> The Commission finds that TWC North Carolina apparently committed seven violations by defaulting on seven CBGs subject to forfeiture, which places the company's base forfeiture at \$21,000.00.<sup>567</sup> TWC North Carolina's assigned CBGs in default subject to forfeiture amounted to \$454,019.80, thereby capping the maximum possible forfeiture at \$68,102.97, which is 15% of TWC North Carolina's defaulted support subject to forfeiture in Auction 904.<sup>568</sup> Because the base forfeiture is less than the 15%

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<sup>557</sup> *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>558</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>559</sup> *See id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of TWC New Hampshire's won support that is in default for the identified bids).

<sup>560</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>561</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>562</sup> *Id.*

<sup>563</sup> *See Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>564</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>565</sup> *See, e.g., Charter Summary Default E-mail.*

<sup>566</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11679, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>567</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>568</sup> *See id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of TWC North Carolina's won support that is in default for the identified bids).

cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$21,000.00 against TWC North Carolina is appropriate here.<sup>569</sup>

64. **Time Warner Cable Information Services (Ohio), LLC (TWC Ohio); FRN: 0011753092; File No.: EB-IHD-22-00033898; NAL/Acct No.: 202232080075.** TWC Ohio is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>570</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>571</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>572</sup> In turn, CCO assigned TWC Ohio 621 of its CBGs.<sup>573</sup> In a series of e-mails, Charter notified the Commission on behalf its subsidiaries of its intent to default on CBGs, including 11 of TWC Ohio's assigned CBGs subject to forfeiture.<sup>574</sup> WCB declared TWC Ohio to be in default on January 28, 2022, and March 10, 2022, and referred the company to EB for enforcement action.<sup>575</sup> The Commission finds that TWC Ohio apparently committed 11 violations by defaulting on 11 CBGs subject to forfeiture, which places the company's base forfeiture at \$33,000.00.<sup>576</sup> TWC Ohio's assigned CBGs in default subject to forfeiture amounted to \$119,845.00, thereby capping the maximum possible forfeiture at \$17,976.75, which is 15% of TWC Ohio's defaulted support subject to forfeiture in Auction 904.<sup>577</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$17,976.75 against TWC Ohio is appropriate here.<sup>578</sup>

65. **Time Warner Cable Information Services (Pennsylvania), LLC (TWC Pennsylvania); FRN: 0013182803; File No.: EB-IHD-22-00033899; NAL/Acct No.: 202232080076.** TWC Pennsylvania is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>579</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>580</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>581</sup> In turn, CCO

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<sup>569</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>570</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>571</sup> *Id.*

<sup>572</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>573</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>574</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>575</sup> *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>576</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>577</sup> See *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117 (establishing a 15% cap on forfeitures). *January 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of TWC Ohio's won support that is in default for the identified bids).

<sup>578</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>579</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>580</sup> *Id.*

<sup>581</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

assigned TWC Pennsylvania 35 of its CBGs.<sup>582</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including six of TWC Pennsylvania's assigned CBGs subject to forfeiture.<sup>583</sup> WCB declared TWC Pennsylvania to be in default on March 10, 2022, and referred the company to EB for enforcement action.<sup>584</sup> The Commission finds that TWC Pennsylvania apparently committed six violations by defaulting on six CBGs subject to forfeiture, which places the company's base forfeiture at \$18,000.00.<sup>585</sup> TWC Pennsylvania's assigned CBGs in default subject to forfeiture amounted to \$1,003,068.20, thereby capping the maximum possible forfeiture at \$150,460.23, which is 15% of TWC Pennsylvania's defaulted support subject to forfeiture in Auction 904.<sup>586</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$18,000.00 against TWC Pennsylvania is appropriate here.<sup>587</sup>

66. **Time Warner Cable Information Services (South Carolina), LLC (TWC South Carolina); FRN: 0011010055; File No.: EB-IHD-22-00033900; NAL/Acct No.: 202232080077.** TWC South Carolina is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>588</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>589</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>590</sup> In turn, CCO assigned TWC South Carolina 597 of its CBGs.<sup>591</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including 92 of TWC South Carolina's winning CBGs subject to forfeiture.<sup>592</sup> WCB declared TWC South Carolina to be in default on July 26, 2021; January 28, 2022; and March 10, 2022, and referred the company to EB for enforcement action.<sup>593</sup> The Commission finds that TWC South Carolina apparently committed 92 violations by defaulting on 92 CBGs subject to forfeiture, which places the company's base forfeiture at \$276,000.00.<sup>594</sup> TWC South Carolina's assigned CBGs in default subject to forfeiture amounted to \$8,333,353.00, thereby capping the maximum possible forfeiture at \$1,250,002.95, which is 15% of TWC South Carolina's defaulted support

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<sup>582</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>583</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>584</sup> *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>585</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>586</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *March 2022 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of TWC Pennsylvania's won support that is in default for the identified bids).

<sup>587</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>588</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>589</sup> *Id.*

<sup>590</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>591</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>592</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>593</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11679-81, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>594</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

subject to forfeiture in Auction 904.<sup>595</sup> Because the base forfeiture is less than the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$276,000.00 against TWC South Carolina is appropriate here.<sup>596</sup>

67. **Time Warner Cable Information Services (Texas), LLC (TWC Texas); FRN: 0010669562; File No.: EB-IHD-22-00033901; NAL/Acct No.: 202232080078.** TWC Texas is a limited liability company formed in Delaware and a subsidiary of Charter.<sup>597</sup> Charter participated in Auction 904 through another subsidiary called CCO.<sup>598</sup> CCO timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>599</sup> In turn CCO assigned TWC Texas 605 of its CBGs.<sup>600</sup> In a series of e-mails, Charter notified the Commission on behalf of its subsidiaries of its intent to default on CBGs, including 35 of TWC Texas' assigned CBGs subject to forfeiture.<sup>601</sup> WCB declared TWC Texas to be in default on July 26, 2021; January 28, 2022; and March 10, 2022, and referred the company to EB for enforcement action.<sup>602</sup> The Commission finds that TWC Texas apparently committed 35 violations by defaulting on 35 CBGs subject to forfeiture, which places the company's base forfeiture at \$105,000.00.<sup>603</sup> TWC Texas' CBGs in default subject to forfeiture amounted to \$544,862.00, thereby capping the maximum possible forfeiture at \$81,729.30, which is 15% of TWC Texas' defaulted support subject to forfeiture in Auction 904.<sup>604</sup> Because the base forfeiture exceeds the 15% cap established by the *Rural Digital Opportunity Fund Order*, the Commission finds the forfeiture amount of \$81,729.30 against TWC Texas is appropriate here.<sup>605</sup>

68. **United Services, Inc. (United Services); FRN: 0016087876; File No.: EB-IHD-22-00033902; NAL/Acct No.: 202232080079.** United Services is located in Missouri and is a subsidiary of United Electric.<sup>606</sup> United Services provides DirecTV, United Sky, and Exede services in Missouri.<sup>607</sup> United Services was a member of RECC.<sup>608</sup> RECC timely submitted its Short-Form Application to

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<sup>595</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11679-81, Attach. A: Bids in Default (describing the total amount of TWC South Carolina's won support that is in default for the identified bids).

<sup>596</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>597</sup> United States Securities and Exchange Commission, *Form 10-K*, Exhibit 21-1, <https://ir.charter.com/static-files/63606f63-1b11-4d60-91a0-5395f1552592> (last visited May 2, 2022).

<sup>598</sup> *Id.*

<sup>599</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13907-08, Attach. A: Winning Bidder Summary.

<sup>600</sup> Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>601</sup> See, e.g., *Charter Summary Default E-mail*.

<sup>602</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11681-83, Attach. A: Bids in Default; *January 2022 Default Public Notice*, Attach. B: Bids in Default; *March 2022 Default Public Notice*, Attach. B: Bids in Default.

<sup>603</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>604</sup> See *id.* at 736, para. 117 (establishing a 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11681-83, Attach. A: Bids in Default (describing the total amount of TWC Texas' won support that is in default for the identified bids).

<sup>605</sup> *Id.*

<sup>606</sup> United Services, *Home*, <http://www.unitedwb.coop/index.html> (last visited Mar. 31, 2022).

<sup>607</sup> *Id.*

<sup>608</sup> See RECC Short-Form Filing, at Attach. 2, pp. 79-80.

participate in Auction 904 and was a successful bidder.<sup>609</sup> In turn, RECC assigned United Services 45 CBGs.<sup>610</sup> On August 16, 2021, United Services notified the Commission of its intent to default on one of its assigned CBGs subject to forfeiture.<sup>611</sup> WCB declared United Services to be in default on December 16, 2021, and referred the company to EB for enforcement action.<sup>612</sup> The Commission finds that United Services apparently committed one violation by defaulting on one CBG subject to forfeiture, which places the company's base forfeiture at \$3,000.00.<sup>613</sup> United Services' assigned CBG in default subject to forfeiture amounted to \$10,363.80, thereby capping the maximum possible forfeiture at \$1,554.57, which is 15% of United Services' defaulted support subject to forfeiture in Auction 904.<sup>614</sup> Because the \$3,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$1,554.57 against United Services is appropriate here.<sup>615</sup>

69. **WC Fiber, LLC (WC Fiber); FRN: 0024824443; File No.: EB-IHD-22-00033903; NAL/Acct No.: 202232080080.** WC Fiber is a South Carolina cooperative located in Abbeville, South Carolina.<sup>616</sup> WC Fiber offers high speed internet service, HD TV, voice, and business services in South Carolina and Georgia.<sup>617</sup> WC Fiber timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>618</sup> On January 27, 2021, WC Fiber notified the Commission of its intent to default on all 20 of its CBGs, of which 18 CBGs are subject to forfeiture.<sup>619</sup> WCB declared WC Fiber to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>620</sup> The Commission finds that WC Fiber apparently committed 18 violations by defaulting on 18 CBGs subject to forfeiture, which places the company's base forfeiture at \$54,000.00.<sup>621</sup> WC Fiber's CBGs in default subject to forfeiture amounted to \$72,352.00, thereby capping the maximum possible forfeiture at \$10,852.80, which is 15% of WC Fiber's defaulted support subject to forfeiture in Auction 904.<sup>622</sup>

<sup>609</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>610</sup> *417 Long-Form Applicants Public Notice*, 36 FCC Rcd at 4140; Long-Form Applicants Spreadsheet as of 2/22/2022, <https://www.fcc.gov/auction/904/round-results> (last visited May 2, 2022); FCC Auction Bidding System Public Reporting System, <https://auctiondata.fcc.gov/public/projects/auction904>.

<sup>611</sup> Letter from Todd B. Lantor, Counsel to United Services, Inc., to Michael Janson, Director, Rural Broadband Auctions Task Force, Federal Communications Commission (Aug. 16, 2021).

<sup>612</sup> *December 2021 Default Public Notice*, Attach. B: Bids in Default.

<sup>613</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>614</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *December 2021 Default Public Notice*, Attach. B: Bids in Default (describing the total amount of United Services' won support that is in default for the identified bids).

<sup>615</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>616</sup> WC Fiber, *Home*, <https://www.wcfiber.net> (last visited Mar. 28, 2022).

<sup>617</sup> *Id.*

<sup>618</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13930, Attach. A: Winning Bidder Summary.

<sup>619</sup> E-mail from Lans Chase, Consultant for Jeff Wilson, General Manager and Authorized Bidder for WC Fiber, LLC, to Heidi Lankau, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Jan. 27, 2021, 12:25 EDT).

<sup>620</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11683-84, Attach. A: Bids in Default.

<sup>621</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>622</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11683-84, Attach. A: Bids in Default (describing the total amount of WC Fiber's won support that is in default for the identified bids).

Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$10,852.80 against WC Fiber is appropriate here.<sup>623</sup>

70. **Wilkes Telephone Membership Corporation (Wilkes); FRN: 0003718426; File No.: EB-IHD-22-00033904; NAL/Acct No.: 202232080081.** Wilkes is a North Carolina cooperative headquartered in Wilkesboro, North Carolina.<sup>624</sup> Wilkes currently operates a communications network that provides voice, broadband, and video services.<sup>625</sup> Wilkes timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>626</sup> On January 29, 2021, Wilkes notified the Commission of its intent to default on two of its CBGs subject to forfeiture in North Carolina.<sup>627</sup> WCB declared Wilkes to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>628</sup> The Commission finds that Wilkes apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>629</sup> Wilkes' CBGs in default subject to forfeiture amounted to \$273,502.50, thereby capping the maximum possible forfeiture at \$41,025.38, which is 15% of Wilkes' defaulted support subject to forfeiture in Auction 904.<sup>630</sup> Because the \$6,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$6,000.00 against Wilkes is appropriate here.<sup>631</sup>

71. **Wood County Telephone Company d/b/a Solarus (Solarus); FRN: 0003744141; File No.: EB-IHD-22-00033905; NAL/Acct No.: 202232080082.** Solarus is a Wisconsin company located in Wisconsin Rapids, Wisconsin.<sup>632</sup> Solarus provides residential and business options for internet, phone and TV.<sup>633</sup> Solarus timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>634</sup> On January 26, 2021, Solarus notified the Commission of its intent to default on both of its CBGs subject to forfeiture in Wisconsin.<sup>635</sup> WCB declared Solarus to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>636</sup> The Commission finds that Solarus apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the

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<sup>623</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>624</sup> Wilkes, *Contact Us*, <https://www.wilkes.net/contact-us/?t=r> (last visited Mar. 28, 2022).

<sup>625</sup> Wilkes, *About Us*, <https://www.wilkes.net/about/?t=r> (last visited Mar. 28, 2022).

<sup>626</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13930, Attach. A: Winning Bidder Summary.

<sup>627</sup> E-mail from Lans Chase, Consultant for Eric Cramer, President and Authorized Bidder for Wilkes Telephone Membership Cooperative, LLC, to Heidi Lankau, Attorney Advisor, Telecommunications Access Policy Division, Federal Communications Commission (Jan. 29, 2021, 10:18 EDT).

<sup>628</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11684, Attach. A: Bids in Default.

<sup>629</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>630</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11684, Attach. A: Bids in Default (describing the total amount of Wilkes' won support that is in default for the identified bids).

<sup>631</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>632</sup> Solarus, *Contact Us*, <https://www.solarus.net/contact/> (last visited Mar. 29, 2022).

<sup>633</sup> Solarus, *Home*, <https://www.solarus.net/> (last visited Mar. 29, 2022).

<sup>634</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13933, Attach. A: Winning Bidder Summary.

<sup>635</sup> Letter from Justin Huebner, General Manager and Chief Executive Officer, Wood County Telephone Company d/b/a Solarus, to Federal Communications Commission (Jan. 26, 2021).

<sup>636</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default.

company's base forfeiture at \$6,000.00.<sup>637</sup> Solarus' CBGs in default subject to forfeiture amounted to \$28,848.00, thereby capping the maximum possible forfeiture at \$4,327.20, which is 15% of Solarus' defaulted support subject to forfeiture in Auction 904.<sup>638</sup> Because the base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$4,327.20 against Solarus is appropriate here.<sup>639</sup>

72. **Yazoo Valley Electric Power Association (Yazoo Valley); FRN: 0010288207; File No.: EB-IHD-22-00033906; NAL/Acct No.: 202232080083.** Yazoo Valley is a rural electric power association serving parts of six counties in Mississippi.<sup>640</sup> Yazoo Valley was a member of RECC.<sup>641</sup> RECC timely submitted its Short-Form Application to participate in Auction 904 and was a successful bidder.<sup>642</sup> In turn, RECC assigned Yazoo Valley five CBGs.<sup>643</sup> Yazoo Valley failed to timely submit a Long-Form Application on or before the January 29, 2021, deadline.<sup>644</sup> On February 1, 2021, Yazoo Valley notified the Commission of its intent to default on all five of its CBGs subject to forfeiture in Ohio.<sup>645</sup> WCB declared Yazoo Valley to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>646</sup> The Commission finds that Yazoo Valley apparently committed five violations by defaulting on its five CBGs subject to forfeiture, which places the company's base forfeiture at \$15,000.00.<sup>647</sup> Yazoo Valley's CBGs in default subject to forfeiture amounted to \$4,283,276.20, thereby capping the maximum possible forfeiture at \$642,491.43, which is 15% of Yazoo Valley's defaulted support subject to forfeiture in Auction 904.<sup>648</sup> Because the \$15,000.00 base forfeiture is less than the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$15,000.00 against Yazoo Valley is appropriate here.<sup>649</sup>

73. **yondoo Broadband LLC (yondoo); FRN: 0027576503; File No.: EB-IHD-22-00033904907; NAL/Acct No.: 202232080084.** yondoo provides internet, TV, and phone service on a 100% fiber optic network.<sup>650</sup> yondoo timely submitted its Short-Form Application to participate in

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<sup>637</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>638</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default (describing the total amount of Solarus' won support that is in default for the identified bids).

<sup>639</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>640</sup> Yazoo Valley, *Home*, <https://www.yazoovalley.com/> (last visited Mar. 29, 2022).

<sup>641</sup> See RECC Short-Form Filing, at Attach. 2, pp. 81-82.

<sup>642</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13925-26, Attach. A: Winning Bidder Summary.

<sup>643</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default.

<sup>644</sup> *Id.* at 11651, n.1.

<sup>645</sup> E-mail from Todd B. Lantor, Counsel to Yazoo Valley Electric Power Association, to Marlene H. Dortch, Secretary, Federal Communications Commission (Feb. 4, 2021, 19:51 EDT)

<sup>646</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default.

<sup>647</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>648</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default (describing the total amount of Yazoo Valley's won support that is in default for the identified bids).

<sup>649</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.

<sup>650</sup> yondoo Broadband, *Home*, <http://www.yondoobb.com/> (last visited Mar. 29, 2022).



Auction 904 and was a successful bidder.<sup>651</sup> On March 17, 2021, yondoo notified the Commission of its intent to default on two of its CBGs subject to forfeiture in Missouri.<sup>652</sup> WCB declared yondoo to be in default on July 26, 2021, and referred the company to EB for enforcement action.<sup>653</sup> The Commission finds that yondoo apparently committed two violations by defaulting on two CBGs subject to forfeiture, which places the company's base forfeiture at \$6,000.00.<sup>654</sup> yondoo's CBGs in default subject to forfeiture amounted to \$33,619.00, thereby capping the maximum possible forfeiture at \$5,042.85, which is 15% of yondoo's defaulted subject to forfeiture in Auction 904.<sup>655</sup> Because the \$6,000.00 base forfeiture exceeds the 15% cap established in the *Rural Digital Opportunity Fund Order*, the Commission finds that the forfeiture amount of \$5,042.85 against yondoo is appropriate here.<sup>656</sup>

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<sup>651</sup> See *Winning Bidders Public Notice*, 35 FCC Rcd at 13933, Attach. A: Winning Bidder Summary.

<sup>652</sup> E-mail from Mike Piasecki, Senior Vice President, Business Operations, yondoo Broadband LLC, to [Auction904@fcc.gov](mailto:Auction904@fcc.gov), Federal Communications Commission (Mar. 17, 2021, 11:48 EDT).

<sup>653</sup> *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default.

<sup>654</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 735-36, para. 115.

<sup>655</sup> See *id.* at 736, para. 117 (establishing the 15% cap on forfeitures). *July 2021 Default Public Notice*, 36 FCC Rcd at 11685, Attach. A: Bids in Default (describing the total amount of yondoo's won support that is in default for the identified bids).

<sup>656</sup> *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 736, para. 117.