

QUARTERLY PERFORMANCE PROGRESS REPORT FOR BROADBAND INFRASTRUCTURE PROJECTS

General Information

1. Federal Agency and Organizational Element to Which Report is Submitted Department of Commerce, National Telecommunications and Information Administration	2. Award Identification Number NT10BIX5570106	3. DUNS Number 099539793
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4. Recipient Organization

Pyramid Lake Paiute Tribe 208 Capitol HL, Nixon, NV 89424

5. Current Reporting Period End Date (MM/DD/YYYY) 06-30-2011	6. Is this the last Report of the Award Period? <input type="radio"/> Yes <input checked="" type="radio"/> No
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7. Certification: I certify to the best of my knowledge and belief that this report is correct and complete for performance of activities for the purposes set forth in the award documents.

7a. Typed or Printed Name and Title of Certifying Official Greg Gardner	7c. Telephone (area code, number and extension) X
	7d. Email Address ggardner@plpt.nsn.us

7b. Signature of Certifying Official Submitted Electronically	7e. Date Report Submitted (MM/DD/YYYY): 08-18-2011
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Empty space for additional comments or notes.

Project Indicators (This Quarter)

1. Please describe significant project accomplishments completed during this quarter (600 words or less).

The cultural survey specialist completed the field survey and submitted a preliminary report. The planned fiber route is viable from this report with no significant findings. The tribe's cultural committee was part of the field survey process, using a tribal monitor for observation. They are also satisfied with the proposed fiber route and will recommend this route in a report for the tribal council. The US Fish & Wildlife Service issued a letter of concurrence for the project. We are reviewing the construction requirements pertaining to that letter. The attorneys for the tribe have made significant progress with the tribe's fiber contracts. The telecommunications company agreed to increase the fiber exchange to four strands for maintenance purposes. They've also agreed to extend the original agreement so that we can meet the 20 year requirement for fiber contracts. This should increase the value of the tribe's in kind match once we have this contract finalized and appraised. A request for quote was sent out and we hired a firm to conduct an appraisal of the fiber agreement. The federal program officer and federal grants specialist came out for a site visit. Agendas and timelines were established to accelerate the completion of the environmental assessment and approval of the construction contract. The tribe's Realty Department has begun review of the easements and right of way agreements on the fiber route. They are also initiating the request for quotes so that we may provide appraisals for the in-kind match documentation of tribal land being donated to the project. We have also hired the project manager for the project. This person will oversee the daily details of the project and reporting and enable the Program Director to focus on the long-term sustainability details.

2. Please provide the percent complete for the following key milestones in your project. Write "0" in the Percent Complete column and "N/A" in the Narrative column if your project does not include this activity. If you provided additional milestones in your baseline plan, please insert them at the bottom of the table. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the percent complete is different from the target provided in your baseline plan (300 words or less).

	Milestone	Percent Complete	Narrative (describe reasons for any variance from baseline plan or subsequent written updates provided to your program officer)
2a.	Overall Project	1	We are significantly behind on the overall project. The primary detractions are the tribe's fiber agreement, the environmental assessment, and the lack of a completed and council approved contract with our vendor / partner so that we can begin the formal engineering designs and the material procurement. Minor details on the fiber agreement are still being worked out by the attorneys so we are very close to completing this agreement. However, the appraiser for the value was brought on board and the appraisal will be completed early in the next quarter. The environmental assessment is the biggest detractor, because the cultural survey work has taken significantly longer than planned. With the help of BTOP after our site visit, we have implemented target dates to remove these obstacles. The cultural survey work and concurrence letter is expected during the next quarter and the construction contract with our vendor will be completed by the middle of the next quarter. We also will have our fiber in-kind match valuation completed early in the quarter.
2b.	Environmental Assessment	80	There has been no progress on this because the cultural survey preliminary report was deemed insufficient by the State Historical Preservation Office for their issuance of a letter of concurrence. They are requiring the complete inventory report which will not be completed until the middle of the next quarter. We have made arrangements with the cultural survey specialist to bring in additional help and expedite this report.
2c.	Network Design	50	We have not been able to make progress on this. The primary fiber route does appear to be finalized, but without the engineering contracts we can't provide the department of transportation the network designs in the manner they require. We are expediting the contract with the partner vendor to get this done by modifying the shortterm budget and pushing for a mid quarter completion of this contract.
2d.	Rights of Way	40	We are slightly behind on this, as the lack of engineering designs for the network is preventing us from completing the state department of transportation from issuing the right of way clearances. We anticipate that this can get back on track with the push on our engineering designs so that an approval could be pending by the end of the next quarter.

	Milestone	Percent Complete	Narrative (describe reasons for any variance from baseline plan or subsequent written updates provided to your program officer)
2e.	Construction Permits and Other Approvals	20	Because of the dependency of this category on the rights of way, we have not been able to make any progress on this category. We have projected a completion date of late next quarter for the tribal rights of way. Because the amount of time projected for acquisition of these permits appears to be less, we should be near completion by the end of next quarter.
2f.	Site Preparation	0	We have not been able to begin site preparation because the environmental assessment has not been completed. We expect the completion of the environmental assessment by the end of next quarter. This will not allow us enough time to complete site preparation for the nodes, however we expect to have the acquisition and appraisals completed by next quarter.
2g.	Equipment Procurement	0	Because we have not been able to finalize the contract with our vendor, we have not been able to proceed on procurement. However, we have modified the short term budget with BTOP's approval, and with the acceleration on the delivery date for contract approval in the middle of next quarter, we expect to be close to schedule on this by the end of next quarter.
2h.	Network Build (all components - owned, leased, IRU, etc)	0	No Variance from baseline
2i.	Equipment Deployment	0	No Variance from baseline
2j.	Network Testing	0	No variance from baseline
2k.	Other (please specify):	98	Because of some issues involving tribal sovereignty and indemnity clauses, we were not able to finalize the fiber agreement the telecommunications company. However, we had enough progress on the document to begin the appraisal, and an appraiser was selected before the end of this quarter. We expect the appraisal to be completed early in the next quarter. The final contract issues should be resolved by the middle of next quarter and this will put us back on schedule with our fiber agreement and the establishment of the in kind match.

3. To the extent not covered above, please describe any challenges or issues faced during this past quarter in achieving planned progress against the project milestones listed above. In particular, please identify any areas or issues where technical assistance from the BTOP program may be useful (600 words or less).

The first challenge has been getting the environmental assessment completed. The preliminary report wasn't sufficient for the State Historical Preservation Office to issue a letter of concurrence. They cited section 106 of the Federal Historical Preservation Act requiring a complete inventory of sites that may have eligibility for the federal registry. This report is significant in size, and the completion date isn't expected until well into the next quarter. Also at issue is a late finding in the environmental assessment specifying construction shutdown for a four month period next spring due to bird migration. Because it wasn't specified in the US Fish & Wildlife's letter of concurrence, we are investigating this issue and its impact. Although the tribe's fiber right's negotiations have progressed, they weren't far enough along to complete the appraisal for our in-kind match. This situation did change at the end of the quarter, and this should be rectified. The contract with our contractor has not progressed satisfactorily and so our engineering designs are delayed, and this impacts our right of way approvals from the Nevada State Department of Transportation. The BTOP program stepped in during their site visit at the end of the current quarter and has provided significant help with us in creating aggressive time lines to accomplish these tasks.

4. Please report the following information regarding network build progress. Write "0" in the Total column and "N/A" in the Narrative column if your project does not include this activity. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the total is different from the target provided in your baseline plan (600 words or less).

Indicator	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
New network miles deployed	0	No Variance from baseline
New network miles leased	0	No Variance from baseline
Existing network miles upgraded	0	No Variance from baseline

Indicator	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
Existing network miles leased	0	There have been delays in the contract negotiations for the tribe's dark fiber exchange. However, the request for quote to have an appraisal was done just before quarter's end, and the appraisal and contract for the fiber will be completed before the end of the next quarter
Number of miles of new fiber (aerial or underground)	0	No Variance from baseline
Number of new wireless links	0	No Variance from baseline
Number of new towers	0	No Variance from baseline
Number of new and/or upgraded interconnection points	0	No Variance from baseline

For questions 5 and 6 please include information relating to agreements that you are negotiating or have entered into, or that your sub recipient, contractor or subcontractor is negotiating or entered into.

5a. If applicable, please provide the following information with regard to agreements with broadband wholesalers and/or last mile providers as a result of your project.

Indicators	
Number of signed agreements with broadband wholesalers or last mile providers	0
Number of agreements currently being negotiated with broadband wholesalers or last mile providers	0
Average term of signed agreements (in quarters)	0

5b. Please list the names of the wholesale and last mile providers with whom you have signed agreements (100 words or less). Providers:
NA

5c. What wholesale services are being provided by this project? Please describe below. As an attachment to this report, please provide pricing plans (in \$ per month) associated with each wholesale service provided by your product (100 words or less). Wholesale services description:

There are three wholesale services projected with this network infrastructure. The first one is a shared 100 mbps service. The second one is a dedicated 10 mbps service and associated voice and video services. The third one is a fiber circuit without network data, video or voice service being provided.

5d. If you have designated a third party to operate all or a portion of your network, please provide the name and contact information for this third party, indicate if this entity is a sub recipient, contractor, and/or subcontractor, and describe with specificity the portion of your network this this third party operates (600 words or less).

NA

6. Please provide the data according to the type of subscriber. Write "0" in the Total column and "N/A" in the Narrative column if your project does not pass or serve a particular subscriber type. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the most recent reporting quarter. Please provide a narrative description if the total is different from the target provided in your baseline plan (300 words or less).

Subscriber Type	Access Type	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
Broadband Wholesalers or Last Mile Providers	Providers with signed agreements receiving new access	0	NA
	Providers with signed agreements receiving improved access	0	NA
	Providers with signed agreements receiving access to dark fiber	0	NA

Subscriber Type	Access Type	Total	Narrative (describe your reasons for any variance from the baseline plan or any other relevant information)
	Please identify the speed tiers that are available and the number of subscribers for each	0	NA
Community Anchor Institutions (including Government institutions)	Total subscribers served	0	No Variance from baseline
	Subscribers receiving new access	0	No Variance from baseline
	Subscribers receiving improved access	0	No Variance from baseline
	Please identify the speed tiers that are available and the number of subscribers for each	0	No Variance from baseline
Residential / Households	Entities passed	0	NA
	Total subscribers served	0	NA
	Subscribers receiving new access	0	NA
	Subscribers receiving improved access	0	NA
	Please identify the speed tiers that are available and the number of subscribers for each	0	NA
Businesses	Entities passed	0	NA
	Total subscribers served	0	NA
	Subscribers receiving new access	0	NA
	Subscribers receiving improved access	0	NA
	Please identify the speed tiers that are available and the number of subscribers for each	0	NA

7. Please describe any special offerings you may provide (600 words or less).

NA

8a. Have your network management practices changed over the last quarter? Yes No

8b. If so, please describe the changes (300 words or less).

NA

9. Community Anchor Institutions:

Using the table below, please provide a list by service area of the community anchor institutions (including Government institutions) connected to your network as a result of BTOP funds. Figures should be reported for the most recent reporting quarter only (NOT cumulatively). Also indicate whether your organization is currently providing broadband service to the anchor institution. Finally, provide a short narrative description with examples of how institutions are using BTOP-funded infrastructure (300 words or less).

Institution Name	Service Area (town or county)	Type of Anchor Institution (as defined in your baseline)	Are you also the broadband service provider for this institution? (Yes / No)	Narrative description of how anchor institutions are using BTOP-funded infrastructure

Institution Name	Service Area (town or county)	Type of Anchor Institution (as defined in your baseline)	Are you also the broadband service provider for this institution? (Yes / No)	Narrative description of how anchor institutions are using BTOP-funded infrastructure
NA	NA	NA	NA	NA

Project Indicators (Next Quarter)

1. Please describe significant project accomplishments planned for completion during the next quarter (600 words or less).

The primary accomplishment will be the completion and appraisal of the tribes IRU (indefeasible right to use) for it's dark fiber. The second primary accomplishment will be the completion of the construction contract. We anticipate significant procurement activity and the completion of the network outside plant design, and the near completion of the engineering designs for the Nevada State Department of Transportation. We also expect to have tribal clearance on all easements, right of ways, and appraisal of the tribes contribution of land for the project. Another significant accomplishment we expect to complete is the environmental assessment.

2. Please provide the percent complete for the following key milestones in your project. Write "0" in the Planned Percent Complete column and "N/A" in the Narrative column if your project does not include this activity. If you provided additional milestones in your baseline plan, please insert them at the bottom of the table. Unless otherwise indicated in the instructions, figures should be reported cumulatively from award inception to the end of the next reporting quarter. Please provide a narrative description if the percent complete is different from the target provided in your baseline plan (300 words or less).

	Milestone	Planned Percent Complete	Narrative (describe reasons for any variance from baseline plan or any other relevant information)
2a.	Overall Project	28	We will be slightly behind overall on the project by the end of the next quarter. However we are expecting significant improvement in meeting our milestones and bringing the project back to the established schedule.
2b.	Environmental Assessment	100	No Variance from baseline
2c.	Network Design	75	We should have the network designs completed for the outside plant. We are behind due to the contract issues from the prior quarter, so the final network designs for the connections and nodes might not be completed in time to bring us on schedule during this quarter. We are pressuring the attorneys to resolve these contract issues and initiating design discussions with our contractor prior to the finalization of the contract.
2d.	Rights of Way	75	We will have made significant improvement on the rights of way to bring us close to schedule during this quarter, but because we expect to have the final outside plant designs completed near the end of the quarter, that probably isn't enough time for the department of transportation to review and give the clearance before this quarter ends.
2e.	Construction Permits and Other Approvals	100	No Variance from baseline
2f.	Site Preparation	0	Because our environmental assessment will be completed just before this quarter ends, we probably won't be able to begin site preparation until the very end of the quarter.
2g.	Equipment Procurement	1	Although we will not be on schedule with the procurement, we expect to have all the proposals from the vendors for the outside plant materials and equipment. The orders for the materials and equipment will be in process by the end of this quarter.
2h.	Network Build (all components - owned, leased, IRU, etc.)	20	No Variance from baseline
2i.	Equipment Deployment	0	No Variance from baseline
2j.	Network Testing	0	No Variance from baseline
2k.	Other (please specify):	100	Fiber agreement and appraisal completed.

3. Please describe any challenges or issues anticipated during the next quarter that may impact planned progress against the project milestones listed above. In particular, please identify any areas or issues where technical assistance from the BTOP program may be useful (600 words or less).

There is still an issue with the environmental assessment regarding a construction blackout from March 31 through August 31 in 2012. With the help of BTOP, we are trying to mitigate this issue by providing for a biologist during construction, if occurring within this time frame. The reason it may become a problem is that it could impact construction costs and BTOP's two-thirds spending requirement by the end of the second year of the grant period. The timeline for completing the contract with our construction partner might prove a little aggressive. The reason is that there are tribal issues around sovereignty and TERO that must be implemented. There is also a

RECIPIENT NAME:Pyramid Lake Paiute Tribe

AWARD NUMBER: NT10BIX5570106

DATE: 08/18/2011

OMB CONTROL NUMBER: 0660-0037

EXPIRATION DATE: 12/31/2013

requirement that this contract be approved by the Tribal Council, and they will require sufficient time for review. Our in kind match is temporarily stalled by legal issues regarding the failure of the fiber communications company, which provided the dark fiber in exchange for easements in consideration of traversing tribal lands with their fiber installation, and Nevada Department of Transportation to obtain proper documentation for the easement of their installation. The Bureau of Indian Affairs is requiring the proper recording of the easement includes a survey of the existing route. The appraisal was completed for the tribe's in kind match of the fiber indefeasible right to use and it is appraised at \$2.7 million. The tribe is also in the process of posting request for quotes for the appraisal of the tribe's in kind match of land for the the fiber route and the node sites. This appraisal will probably exceed the current spending level, and the two appraisals will exceed the requisite match requirement.

Infrastructure Budget Execution Details

Activity Based Expenditures (Infrastructure)

1. Please provide details below on your total budget, cumulative actual expenditures (for the period ending the current quarter), and cumulative anticipated expenditures (for the period ending next quarter) for each line item, including detailed disbursements of both matching funds and federal funds from project inception through end of this quarter (actual) or next quarter (anticipated). Actual and anticipated figures should be reported cumulatively from award inception to the end of the applicable reporting quarter.

Budget for Entire Project				Actuals from Project Inception through End of Current Reporting Period			Anticipated Actuals from Project Inception through End of Next Reporting Period		
Cost Classification	Total Cost (plan)	Matching Funds (plan)	Federal Funds (plan)	Total Cost	Matching Funds	Federal Funds	Total Costs	Matching Funds	Federal Funds
a. Administrative and legal expenses	\$895,066	\$6,000	\$889,066	\$7,629	\$0	\$7,629	\$20,000	\$0	\$20,000
b. Land, structures, right-of-ways, appraisals, etc.	\$185,051	\$60,000	\$125,051	\$0	\$0	\$0	\$110,000	\$100,000	\$10,000
c. Relocation expenses and payments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
d. Architectural and engineering fees	\$189,600	\$0	\$189,600	\$0	\$0	\$0	\$150,000	\$0	\$150,000
e. Other architectural and engineering fees	\$266,356	\$36,000	\$230,356	\$15,784	\$0	\$15,784	\$55,784	\$0	\$55,784
f. Project inspection fees	\$45,600	\$0	\$45,600	\$0	\$0	\$0	\$0	\$0	\$0
g. Site work	\$42,775	\$30,000	\$12,775	\$0	\$0	\$0	\$0	\$0	\$0
h. Demolition and removal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
i. Construction	\$7,612,371	\$2,300,000	\$5,312,371	\$0	\$0	\$0	\$2,400,000	\$2,300,000	\$100,000
j. Equipment	\$198,937	\$0	\$198,937	\$0	\$0	\$0	\$3,000	\$0	\$3,000
k. Miscellaneous	\$66,250	\$0	\$66,250	\$0	\$0	\$0	\$0	\$0	\$0
l. SUBTOTAL (add a through k)	\$9,502,006	\$2,432,000	\$7,070,006	\$23,413	\$0	\$23,413	\$2,738,784	\$2,400,000	\$338,784
m. Contingencies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
n. TOTALS (sum of l and m)	\$9,502,006	\$2,432,000	\$7,070,006	\$23,413	\$0	\$23,413	\$2,738,784	\$2,400,000	\$338,784

2. Program Income: Please provide the program income you listed in your application budget and actuals to date through the end of the reporting period.

a. Application Budget Program Income: \$0	b. Program Income to Date: \$0
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