



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
ACQUISITION AND GRANTS OFFICE

April 29, 2013

Michael Ryan
President
Eagle-NET Alliance
11800 Ridge Parkway, Suite 450
Broomfield, CO 80021

Re: Broadband Technology Opportunities Program (BTOP)
EAGLE-Net Alliance (ENA), Colorado Community Anchors Broadband Consortium—
Connecting Colorado's Middle Mile (Grant Award # NT11BIX5570001)
Notice of the Lifting of the Award Suspension

Dear Mr. Ryan:

Thank you for the documentation submitted in response to the December 6, 2012, corrective action plan (CAP) and suspension letter. Based on a review of this documentation and the recently completed Supplemental Environmental Assessment, the National Telecommunications and Information Administration (NTIA) has recommended that the National Oceanic and Atmospheric Administration (NOAA) Grants Office lift the suspension of ENA's award.

In addition, although ENA has provided documentation to substantiate considerable progress in addressing all of the issues detailed in its August 9, 2012 CAP, NTIA and NOAA continue to review project costs to ensure they are reasonable and allowable. NTIA and NOAA may request additional documentation or other information to clarify any questions regarding the CAP response. ENA's Automated Standard Application for Payment (ASAP) account will remain on agency review status to allow NTIA and the NOAA Grants Office to review requests for payment under the award to ensure ENA draws down funds only for approved and budgeted project activities. NOAA and NTIA expect that the ENA award will remain on agency review status until the end of the closeout period, and we will continue to provide diligent oversight over the award.

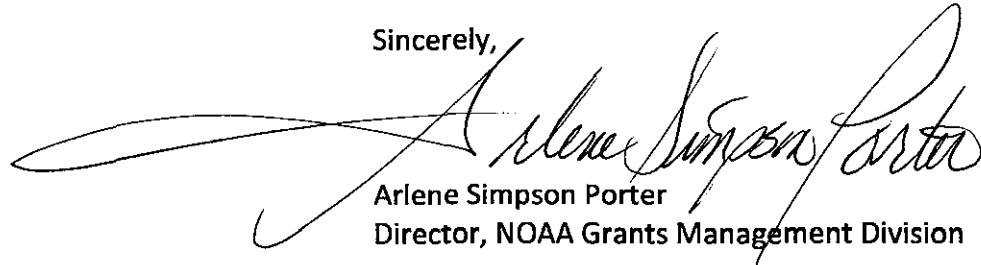
ENA has developed a plan for use of the remaining grant funds that focuses on western Colorado. The plan also maximizes the number of school districts connected to the network directly or through partnership with providers. It is our understanding that ENA will release a solicitation soon seeking a network operator partner who would make a capital investment to deliver additional benefits—connecting more school districts to the network—and to assist ENA

in achieving long-term sustainability. NTIA and NOAA will remain closely involved in the prioritization of project implementation activities and associated grant-eligible expenditures through the entirety of the period of performance.

NTIA and NOAA would also like to underscore ENA's ongoing obligation to comply with the terms and conditions of its Environmental Assessment Special Award Condition including compliance with all federal, state, and local environmental and cultural resource laws and regulations. Please note that the project is not authorized to begin implementation activities on property owned or administered by any Federal land management agency – including those administered by the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, and USDA- Forest Service – until the respective agency has issued a current and valid permit and completed any further decisional documentation associated with the recently completed Supplemental Environmental Assessment and NTIA's revised Finding of No Significant Impact (FONSI), in accordance with each agency's procedures. In addition, any other project modifications must be submitted to NTIA and NOAA for appropriate review and approval prior to ENA beginning any project implementation activities.

If you have any questions, please contact your Federal Program Officer, Elaine Sloan, at 202.482.8231 or esloan@ntia.doc.gov. Thank you for your cooperation and assistance.

Sincerely,

A handwritten signature in black ink, reading "Arlene Simpson Porter". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arlene Simpson Porter
Director, NOAA Grants Management Division

cc: Larry Jenkins, NOAA
Alan Conway, NOAA
Andrea Mack, NOAA
Anthony Wilhelm, Ph.D., NTIA
Laura Dodson, NTIA
Elaine Sloan, NTIA
Andy Spurgeon, NTIA