

Special Award Conditions

Award Number: NT10BIX5570056

Amendment Number: 5

1) Suspension of Award and Required Corrective Action

NTIA has recommended that your awards remain suspended until such time as the awards are transferred to the buyer of DBC's western assets.

REQUIRED CORRECTIVE ACTION:

In order to formally request the transfer of the BTOP awards, DBC must submit a new application for each award. The buyer must provide applications for each of DBC's three awards under its name and the applications must convey the same objectives and programmatic benefits of DBC's awarded applications. Each application must contain all elements of the original application including, but not limited to, the executive summary, a narrative of the project benefits, an overview of the purchaser's organizational capacity, and a sustainability plan. All your materials must confirm the technical feasibility of each project. Other specific materials include the following items:

1. Key metrics dashboard;
2. Project implementation schedule that represents the milestones to be achieved on a quarterly basis;
3. Baseline report;
4. SF-424C budget documents and budget narrative;
5. Maps of the proposed funded service area, propagation reports, and engineering plans; and
6. Proof of Categorical Exclusion of Section 106 of the National Historic Preservation Act and all supplemental materials required during the original application period.

All materials submitted should demonstrate that the buyer has capacity to complete all three awards by March 31, 2013 within the approved budget and deliver the benefits as outlined in the original application.

A full due diligence review of the proposed buyer and the new applications will be performed. DBC shall provide background on the proposed buyer, including information on the organizational capacity of the buyer, key personnel resumes, historical financials, the Asset Purchase Agreement, and a letter of commitment between CEOs confirming the timetable for the sale of assets and the buyer's readiness to provide cash match for the BTOP award.

DBC must also provide detailed information about all of the assets involved in the proposed transfer, including the BTOP awards, to the proposed buyer. DBC should provide information with respect to whether it will remain an ongoing concern with respect to its Indiana Operating Market and any relationship it will maintain with the proposed buyer with respect to the BTOP awards. NTIA and NOAA may require additional documentation during due diligence after reviewing this submission.

Please be advised that approval of the transfers is not guaranteed. Until you are notified otherwise, all three BTOP projects will remain under suspension until a decision is made by NTIA and NOAA Grants Office.

A response to this CAP is due on March 31, 2012. Failure to respond to this CAP in a timely or comprehensive manner may result in a notice of termination of your awards. In addition, if NTIA and NOAA uncover issues during the due diligence review process that would result in a recommendation that the awards not be transferred, NTIA may recommend that NOAA terminate your awards.

Due Date: 03/31/2012