

November 21, 2018

VIA ELECTRONIC FILING

David L. Furth
Deputy Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Certification of Completion of Band Reconfiguration in Guam

Dear Mr. Furth:

In its *800 MHz Report and Order*, the Federal Communications Commission (“FCC”) required the 800 MHz Transition Administrator, LLC (“TA”) to “certify that band reconfiguration in a particular NPSPAC region is complete.”¹ Section 90.676(b)(6) of the FCC’s rules requires the TA to “[n]otify the Commission when band reconfiguration is complete in each 800 MHz NPSPAC Region and identify which vacant channels are exclusively available to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories.”² Pursuant to Section 90.676(b)(6), the TA hereby certifies that band reconfiguration is complete in Guam.³

Methodology

For purposes of this certification, band reconfiguration in a region is complete when all licensees in the region that were subject to reconfiguration have relocated to their new frequencies and ceased operations on their old frequencies. The TA verifies that all licensees have relocated off of their old frequencies by confirming that all frequencies in all 800 MHz sub-bands (*i.e.*, NPSPAC, Interleaved, Expansion, Guard, and ESMR bands) have been cleared of all incumbent licensees required to relocate during band reconfiguration. When all frequencies in all 800 MHz sub-bands in the region have been cleared, band reconfiguration in that region is complete.

¹ Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, 19 FCC Rcd 14969, 15067, para. 183 (2004) (“*800 MHz Report and Order*”).

² 47 C.F.R. § 90.676(b)(6).

³ Guam, which is not associated with a NPSPAC region, is subject to reconfiguration pursuant to the FCC’s October 5, 2005 Memorandum Opinion and Order. See Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Memorandum Opinion and Order*, 20 FCC Rcd 16015, 16070, para. 123 (2005) (“*800 MHz MO&O*”). Although Guam is not an official NPSPAC region, the FCC assigned NPSPAC region number 63 to Guam for purposes of searching the Vacated Channel Search Engine. See “Public Safety and Homeland Security Bureau Announces Application and Licensing Procedures for Certain Channels Relinquished by Sprint Nextel Corporation in the 809.5-815/854.5-860 MHz Band,” *Public Notice*, 25 FCC Rcd 16038, 16048 (2010).

The TA evaluates clearing by reviewing licensing records in the FCC's Universal Licensing System ("ULS"). The TA considers a frequency in a particular NPSPAC region as cleared when all licensees required to relocate off that frequency during band reconfiguration have ceased operations on that frequency and have modified their licenses to delete that frequency or cancelled their licenses in ULS, and the modification of their licenses to delete that frequency or the cancellation of their licenses in ULS has become a final action under the FCC's rules.

Please note that licensees that have cleared their old frequencies may not have completed a second (or subsequent) touch of their subscriber units to remove the pre-rebanding channels. Furthermore, licensees may still need to submit final rebanding cost documentation to Sprint and/or the TA, complete the actual cost reconciliation process, or close their Frequency Reconfiguration Agreements.

Certification

In making this certification, the TA has assumed, without verification: (a) the accuracy and veracity of information and statements contained in the documents that the TA reviewed, including electronic databases, and (b) the conformity to originals of all copies of documents, including electronic databases reviewed by the TA, and the authenticity of the originals of such copies. The TA has also limited its review to records and data available to it as of the date of this filing.

Subject to the foregoing, the TA hereby certifies that band reconfiguration is complete in Guam.⁴ All licensees in Guam that were subject to reconfiguration have relocated to their new frequencies and have modified their FCC licenses to delete their old frequencies or have cancelled their licenses. All of the frequencies in all 800 MHz sub-bands in Guam that were subject to reconfiguration have been cleared. In addition, the TA consulted with the FCC to determine if there were any pending license applications that might conflict with clearing and none were found.

Vacant Channels

The FCC's 800 MHz Orders and the FCC's rules provide that spectrum in the lower portion of the 800 MHz band that is vacated by licensees relocating to the ESMR Band or by licensees relocating to the Guard Band will be exclusively available to Public Safety eligible applicants for the first three years following the completion of band reconfiguration of a NPSPAC region and to Public Safety and Critical Infrastructure Industry ("CII") eligible applicants for the following two years.⁵ Section 90.676(b)(6) of the FCC's rules requires the TA to identify these channels.

⁴ The *800 MHz Report and Order* stated that the TA would evaluate the sum remaining available under the letter of credit as part of the process for certifying that band reconfiguration in a region is complete. See *800 MHz Report and Order*, 19 FCC Rcd at 15067, para. 183. The TA reviews the letter of credit on an ongoing basis in view of the programmatic obligations satisfied by Sprint and is not evaluating it herein.

⁵ See *800 MHz Report and Order*, 19 FCC Rcd at 15052, para. 152; see *Improving Public Safety Communications in the 800 MHz Band*, WT Docket 02-55, *Supplemental Order and Order on Reconsideration*, 19 FCC Rcd 25120, 25145, para. 58 (2004); see *800 MHz MO&O*, 20 FCC Rcd at 16054, para. 89; see 47 C.F.R. §§ 90.615(a), (b), 90.617(g), (h).

The FCC has created an 800 MHz Vacated Channel Search Engine ("VCSE") that identifies 800 MHz channels in the Interleaved Band (809-815 MHz/854-860 MHz) that have been relinquished by Sprint as part of reconfiguration.⁶ Information about the channels relinquished by Sprint in Guam that are exclusively available to eligible applicants in the Public Safety or CII Categories is available in the VCSE.

Information about channels vacated by other licensees relocating from the Interleaved Band to the ESMR Band or by licensees relocating to the Guard Band that will be exclusively available to eligible applicants in the Public Safety or CII Categories is available in Schedule A.

Sincerely,



Brett S. Haan
800 MHz Transition Administrator, LLC

cc: Michael Wilhelm, Public Safety and Homeland Security Bureau

⁶ The VCSE is available at <http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp>

Schedule A

Identification of Vacant Channels Exclusively Available to Eligible Applicants in the Public Safety or Critical Infrastructure Industry Categories

Information about the channels relinquished by Sprint in Guam that are exclusively available to eligible applicants in the Public Safety or CII Categories is available in the VCSE at <http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp>.

The following channels in Guam, which were vacated by other licensees relocating from the Interleaved Band to the ESMR Band or by licensees relocating from the Interleaved Band to the Guard Band, will be exclusively available to eligible applicants in the Public Safety or CII Categories:

None