

## PRESS RELEASE

### For Immediate Release

800 MHz Transition Administrator  
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### 800 MHz Transition Administrator Accepting EA Licensee Relocation Elections

#### *Filing Instructions and Supporting Information Provided*

**April 21, 2005, Washington, D.C.** – The 800 MHz Transition Administrator (“TA”) today provided guidance to Economic Area (“EA”) Specialized Mobile Radio (“SMR”) licensees in the 800 MHz band regarding their options to relocate to Guard Band and Enhanced Specialized Mobile Radio (“ESMR”) spectrum pursuant to the [Orders](#) issued by the Federal Communications Commission (“FCC”) requiring the reconfiguration of the 800 MHz band.

The following chart summarizes anticipated non-Nextel and non-Southern LINC EA licensee relocations:

Now at 806-809 MHz/ 850-854 MHz in Southeast U.S.	Now at 806-809 MHz/ 850-854 MHz in rest of U.S.	Now at 809-813.5 MHz / 854-858.5MHz Southeast U.S.	Now at 809-816 MHz / 854-861 MHz in rest of U.S.	Now at 813.5-821 MHz/858.5-866 MHz in Southeast U.S.	Now at 816-821 MHz/ 861-866 MHz in rest of U.S.
Will be relocated to 809-813.5 MHz/ 854-858.5 MHz	Will be relocated to 809-816 MHz/854-861 MHz	Not scheduled for relocation	Not scheduled for relocation	Will be relocated to 809-813.5 MHz/854-858.5 MHz	Will be relocated to 809-816 MHz/ 854-861 MHz

#### **EA Licensee Election Option(s):**

- **EA licensees in the Southeast United States must contact the TA by MAY 13, 2005 if they wish to remain in or move to the ESMR Band (813.5-824 MHz/858.5-869 MHz).** EA licensees in the Southeast United States do not have ability to move into the Guard Band because there is no Guard Band in the Southeast U.S. 800 MHz band plan.
- For rest of the United States, **licensees must contact the TA by MAY 13, 2005 if they wish to relocate to the Guard Band (816-817 MHz/861-862 MHz) or ESMR Band (817-824 MHz/ 862-869 MHz).**

References to the Southeast U.S. above include certain counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, where the new 800 MHz band is different than that in the rest of the United States. Potentially affected licensees should consult the FCC’s [Second Erratum](#) to the 800 MHz Order

([http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-252929A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-252929A1.pdf)) for additional information.

Licensees relocating to the Guard Band or ESMR Band will be entitled only to limited interference protection. Costs of licensees with constructed systems electing to move to the Guard Band will be funded by Nextel if the licensee is otherwise required to relocate. Costs of licensees with unconstructed systems electing to move to the Guard Band will be limited to reasonable transactional costs (e.g., legal and engineering fees directly related to determining comparable spectrum) if the licensee is otherwise required to relocate. Other entities must bear their own relocation costs.

Licensees electing to relocate to the ESMR Band will receive only the same unencumbered coverage area as was held on November 22, 2004. Licensees relocating to the ESMR Band must abide by the rules applicable to ESMR systems and may not operate non-ESMR systems in the ESMR Band. Costs of licensees electing to move to the ESMR Band that do not have constructed ESMR hardware will be limited to reasonable transactional costs (e.g., legal and engineering fees directly related to determining comparable spectrum) and no “hardware related” expenses. Licensees electing to move to the ESMR Band should consult the FCC’s December 22, 2004 [Supplemental Order and Order on Reconsideration \(http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/FCC-04-294A1.pdf\)](http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/FCC-04-294A1.pdf). EA licensees electing to relocate to the ESMR Band are required to provide an additional certification with their elections as described below.

Licensees wishing to relocate to the Guard Band or to the ESMR Band should notify the TA of their election as set forth in this press release. The TA intends to provide information regarding EA 800 MHz relocation elections to the FCC and other interested parties.

**Filing Timeframes and Instructions.** To facilitate frequency planning, EA licensees should submit any elections no later than MAY 13, 2005. Elections should contain a notarized signature and should be sent in .pdf format to the TA at [elections@800TA.org](mailto:elections@800TA.org) or by fax to (866) 432-8317 (this is a voicemail service that automatically will accept faxes). The TA will provide confirmation of elections. In addition to e-mailing or faxing, paper copies of elections with original signatures should be sent to:

800 MHz Transition Administrator  
c/o Robert B. Kelly  
Squire, Sanders & Dempsey L.L.P.  
1201 Pennsylvania Ave., N.W.  
P.O. Box 407  
Washington, D.C. 20044-0407

Licensees filing elections are also requested to file a copy of their elections with the FCC in WT Docket No. 02-55.

**Supporting Information.** EA licensees should provide the following information in support of their elections:

- Contact information;
- Call signs of all relevant licenses cross-referenced by EA;
- Statement that licensee wishes to:
  - (1) relocate to the Guard Band;
  - (2) relocate to the ESMR Band; or
  - (3) remain in the ESMR Band and become an ESMR (in the case of certain EA licensees in the Southeastern United States as discussed above).
- If electing to move to the ESMR Band or remain in the ESMR Band, a certification that: (1) the licensee has the spectrum capacity to build and operate an ESMR system pursuant to the definition of ESMR in Section 90.7 of the FCC's rules (which includes having more than five overlapping interactive sites with hand-off capability and one such site with an antenna height of less than 30.4 meters (100 ft.) above ground level and a HAAT of less than 152.4 meters (500 ft.) and 20 or more paired frequencies); and (2) the licensee intends to operate an ESMR system within the ESMR Band. The certification should be signed and dated and indicate that the information provided in the election is true and correct under penalty of perjury. Filers should consult Section 1.16 of the FCC's rules for the appropriate form of certification.

The TA reminds filers that representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC. Relocation requests related to licenses covering the Canadian and Mexican border areas will be deferred pending additional guidance from the FCC.

Those with questions regarding their eligibility to make a relocation election or regarding these procedures should contact the TA at [elections@800TA.org](mailto:elections@800TA.org).

### **About the 800 MHz Transition Administrator**

The 800 MHz Transition Administrator ("TA") consists of a team of BearingPoint, Inc., Squire, Sanders & Dempsey L.L.P., and Baseline Telecom, Inc. The TA has been charged by the FCC to administer the reconfiguration of the 800 MHz band. The TA uses information it receives solely for purposes of administering the 800 MHz reconfiguration process and may disclose such information to the FCC or other authorized parties pursuant to the requirements of the 800 MHz Order or other applicable law.

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