

CTIA *Ex Parte* Presentation
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, PS Docket No. 06-229; WT Docket Nos. 96-86, 06-150, 06-169; DA 07-2197

CTIA Population-Based Build-out Proposal

CTIA proposes the following population-based performance requirements for adoption by the Commission:

- For each license area, each commercial licensee must certify that it covers at least 33.33 percent of the population in that license area within five (5) years of February 17, 2009, the firm deadline for the DTV transition and the start of the 10 year license term;
- For each license area, each commercial licensee must certify that it covers at least 75 percent of the population in its license area at the end of 10 years;
- If the licensee fails to meet its population requirement at the 5-year benchmark, the licensee then has only eight (8) years, not 10 years, to satisfy the 75 percent population requirement;
- If a licensee makes the second certification, it will retain the entire market area covered by its license;
- If a licensee cannot make this second certification, the licensee will be subject to a keep-what-you-use rule, which will deprive the licensee of the unserved portion of any market for which it is unable to make the certification; and
- Any unserved area will be relicensed through auction.