

# clearwire

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Washington, D.C. 20006

December 16, 2008

**WT Docket No. 06-136**

Office of the Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
12th Street Lobby, TW-A325  
Washington, DC 20554

**RE:** Fixed Wireless Holdings, LLC  
Transition of the 2500-2690 MHz Band for BRS and EBS  
Transition Area: BTA Number 174: Greensboro-Winston/  
Salem-High Point, NC

Dear Ms. Dortch:

On October 16, 2008, Fixed Wireless Holdings, LLC ("FWH"), a wholly-owned subsidiary of Clearwire Corporation (together "Clearwire"), requested a two week extension to complete the Transition for BTA Number 174: Greensboro-Winston/Salem-High Point, NC, which included BTA 376: Roanoke, VA as part of that same Transition. On October 30, Clearwire requested additional time, up to and including December 31 in which to complete the subject Transition. In that request for extension, Clearwire indicated that it needed the additional time beyond the Transition Completion date of October 17, 2008 to confirm that Unison Spectrum, LLC ("Unison", the Licensee) and Digital Broadcast Corporation ("DBC", the lessee) "have taken the required steps to shut down the pre-Transition operations of WG371 and to file its Transition Completion notice." Based on information received from Unison, Clearwire must request an additional extension of time in which to file its Transition Completion notice. A copy of this Request for Waiver is being served on the parties to that Transition.<sup>1</sup>

Pursuant to information recently received through Unison, Clearwire was informed that DBC has indicated to Unison that it "has encountered events which are beyond its control which will require the additional 20 days to work on the Transition." As Clearwire has previously indicated to the Commission, after it is informed that DBC has at last taken the necessary steps to complete the Roanoke Transition, Clearwire will need to again send an engineer to Roanoke to do signal testing, increasing the costs of the Transition, prior to its being able to complete the Transition process and notify the FCC of that fact.

In addition, Clearwire has recently requested extensions of time in several other markets due its recently closed transaction. As the Commission is aware, on November 4, 2008, the transfer of

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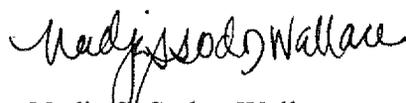
<sup>1</sup> Since Fixed Wireless Holdings, LLC and NSAC, LLC are wholly-owned subsidiaries of Clearwire, copies of this request for waiver are not being served on them separately.

control of licenses and leases held by Sprint-Nextel Corporation ("Sprint Nextel") and Clearwire to New Clearwire Corporation ("New Clearwire") was approved. The Memorandum Opinion and Order approving the transaction (MO&O) was released on November 7 (WT Docket 08-94, DA Number 08-259), and an Erratum to the MO&O was released on November 10 and again on November 26. This FCC action concluded the required regulatory approvals necessary to close the Transaction and on November 28, 2008, Clearwire closed the Transaction.<sup>2</sup> FWH is a wholly-owned subsidiary of Clearwire, and is, thus, included in this transaction. Although the transaction has just recently closed, Clearwire's limited resources prior thereto remained otherwise engaged and focused on maintaining ongoing market operations and preparing for the integration of Sprint Nextel's and Clearwire's current 2.5 GHz business and existing services into New Clearwire in an expeditious and efficient fashion. Finally, the recent Thanksgiving holidays and the upcoming Christmas and New Year's holidays adds an additional level of coordination and personnel non-availability for EBS licensees involved in Transition activities and their schools and other educational institutions that will be on a holiday vacation schedule. Thus, to avoid having to file yet another extension in the event DBC's current plans slip even further, Clearwire respectfully requests an additional period of time, until February 28, within which to complete the Transition in BTA Numbers 174 and 376. While Clearwire hopes and expects to complete the transition well before that date, it is requesting this date out of an abundance of caution to avoid the need to have to consume additional Commission resources on this matter. Clearwire believes that no parties will be prejudiced by grant of this request.

As previously requested, in order to confirm that the necessary steps have been taken with respect to GW371, Clearwire would request that Unison and/or DBC file a notice with the FCC in this docket at the completion of the required steps.

If there are any questions, please contact the undersigned at (202) 330-4011 or at [nadja.sodoswallace@clearwire.com](mailto:nadja.sodoswallace@clearwire.com).

Sincerely,



Nadja S. Sodos-Wallace

cc (enc): John Schauble  
Lynn Ratnavale  
Consuela Kearney  
Communications Ventures, Inc.  
NTELOS Licenses Inc.  
Unison Spectrum, LLC  
The University Of North Carolina General Administration  
North Carolina Agricultural & Technical State University  
Blue Ridge Public Television  
Winston-Salem State University  
The Salem City School Board  
The School Board of Roanoke County, Virginia

<sup>2</sup> The requisite consummation notices have been filed with the FCC.

The Botetourt County School Board  
Virginia Polytechnic Institute & State University  
School Board Of The City Of Roanoke  
Guilford Technical Community College  
Davidson County Community College  
Guilford County Schools  
Forsyth Technical Community College  
University Of North Carolina Center For Public Television  
North Carolina School Of The Arts  
Digital Broadcast Corporation