

clearwire

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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: NSAC, LLC
Transition of the 2500-2690 MHz Band for BRS and EBS
Transition Area: BTA Number 459: Waco, Texas

Dear Ms. Dortch:

On February 12, 2007, NSAC, LLC (formerly Nextel Spectrum Acquisition Corp.), a wholly-owned subsidiary of Clearwire Corporation (together "Clearwire"), filed its Transition Initiation Plan for BTA Number 459: Waco, Texas. Pursuant to the Commission's Rules, that Transition was supposed to be completed by November 12, 2008. As explained below, Clearwire finds it necessary to file a request, for a limited period for an extension of time in which to complete that Transition. A copy of this Request for Extension is being served on the parties to that Transition.¹

As the Commission is aware, on November 4, 2008, the transfer of 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.² NSAC is a wholly-owned subsidiary of Clearwire, and is, thus, included in this transaction.

As part of this process, Clearwire has recently become aware that the Transition Completion Deadline for this BTA has passed. Prior to Clearwire's acquisition of the Proponent, the Proponent had been diligently working on completing this Transition since it was initiated. It obtained all of the information required under the Commission's Rules through research of the Commission's databases and through data provided by EBS licenses in response to the Pre-Transition Data Request. On February 12, 2007, the Transition Initiation Plan was filed with the

¹ Copies of this request for waiver are not being served on Clearwire entities.

² The requisite consummation notices have been filed with the FCC.

Commission and the Transition Notice was sent to all of the licensees in the BTA, as required under the rules. The Transition Plan was sent out to all 2.5 GHz licensees within the BTA. No counter proposals were received. Due to the pending request for opt-out of the Transition related to Central Texas Communications, Inc., Clearwire cannot be sure what is required with respect to certain effected licensees, and thus, must request an extension of time in which to complete the Transition and file its recent Transition Completion Notice.

Although the transaction has 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. In addition, 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, Clearwire respectfully requests until February 28, within which to complete the Transition for the subject BTA. 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.

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

Sincerely,



Nadja S. Sodos-Wallace

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