



# PUBLIC NOTICE

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DA 09-525

February 27, 2009

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## POST-TRANSITION NOTIFICATIONS FILED IN WT DOCKET NO. 06-136

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) announces the filing of Post-Transition Notifications by Clearwire Corporation and its wholly-owned subsidiaries, American Telecasting Development, LLC, Clearwire Spectrum Holdings LLC, Fixed Wireless Holdings, LLC and NSAC, LLC (together "Clearwire"), regarding the transition of the 2500-2690 MHz band.

On July 29, 2004, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (BRS/EBS R&O and FNPRM)* that revamped the rules and policies governing the licensing of services in the 2500-2690 MHz MDS/ITFS band.<sup>1</sup> In particular, the Commission adopted a new band plan that restructures the 2500-2690 MHz band into upper and lower-band segments for low-power operations (UBS and LBS, respectively), and a mid-band segment (MBS) for high-power operations. The Commission also adopted a transition plan for relocating Educational Broadband Service (EBS) licensees and Broadband Radio Service (BRS) licensees from their current channel locations to their new spectrum blocks in the LBS, MBS, or UBS. Specifically, the transition occurs in the following five phases: (1) initiating the transition process by filing an Initiation Plan with the Commission; (2) planning the transition; (3) reimbursing the costs of the transition; (4) terminating existing operations in transitioned markets; and (5) completing the transition by filing the Post-transition Notification with the Commission and sending a copy to all affected BRS and EBS licensees.<sup>2</sup>

On April 27, 2006, the Commission released a *Third Memorandum Opinion and Order and Second Report and Order (BRS/EBS 3<sup>rd</sup> MO&O)* that, among other things, revised the transition area size from Major Economic Areas (MEAs) to Basic Trading Areas (BTAs).<sup>3</sup> The Commission also determined that the transition can be undertaken by multiple proponents, and that the first entity to file an Initiation Plan with the Commission is the proponent for a given BTA.<sup>4</sup> When the transition has been completed, the proponent must file a copy of the Post-transition Notification with the Secretary's Office certifying that the Transition Plan has been fully implemented. The proponent must also provide copies of the Post-transition Notification to all parties to the

<sup>1</sup> See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 03-66, 19 FCC Rcd 14165 (2004) (*BRS/EBS R&O and FNPRM* as appropriate).

<sup>2</sup> *Id.* at 14198 ¶ 74.

<sup>3</sup> Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Third Memorandum Opinion and Order and Second Report and Order*, WT Docket No. 03-66, 21 FCC Rcd 5606, 5642 ¶ 65 (2006) (*BRS/EBS 3<sup>rd</sup> MO&O*).

<sup>4</sup> *Id.*, 21 FCC Rcd at 5652 ¶¶ 91-92; 47 C.F.R. §§ 27.1231(c), 27.1231(f).

transition. Any BRS or EBS licensee who objects to a Post-Transition Notification listed in the Appendix to this Public Notice must file an objection with the Secretary's Office by March 30, 2009.

The Post-transition Notifications listed in the Appendix to this Public Notice were filed as described in the Appendix.

Copies of the Post-transition Notifications listed in the Appendix, as well as other documents filed in WT Docket No. 06-136, may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). These documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The documents are also available electronically through the Commission's ECFS, under WT Docket No. 06-136, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>.

By the Chief, Broadband Division, Wireless Telecommunications Bureau.

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**APPENDIX – POST-TRANSITION NOTIFICATIONS FILED**

| BTA Number | BTA Name                         | Proponent                             | Date Filed |
|------------|----------------------------------|---------------------------------------|------------|
| BTA06      | Albany-Tifton, GA                | Clearwire Spectrum Holdings LLC       | 2/20/2009  |
| BTA44      | Birmingham, AL                   | NSAC, LLC                             | 2/18/2009  |
| BTA69      | Casper-Gillette, WY              | Clearwire Spectrum Holdings LLC       | 2/20/2009  |
| BTA111     | Des Moines, IA                   | Fixed Wireless Holdings, LLC          | 2/20/2009  |
| BTA117     | Du Bois-Clearfield, PA           | Fixed Wireless Holdings, LLC          | 2/18/2009  |
| BTA131     | Erie, PA                         | Fixed Wireless Holdings, LLC          | 2/18/2009  |
| BTA142     | Fergus Falls, MN                 | Fixed Wireless Holdings, LLC          | 2/20/2009  |
| BTA152     | Ft. Pierce-Vero Beach-Stuart, FL | NSAC, LLC                             | 12/17/2008 |
| BTA157     | Fresno, CA                       | Fixed Wireless Holdings, LLC          | 2/20/2009  |
| BTA164     | Glen Falls, NY                   | Clearwire Spectrum Holdings LLC       | 2/18/2009  |
| BTA181     | Harrisburg, PA                   | Fixed Wireless Holdings, LLC          | 2/18/2009  |
| BTA188     | Helena, MT                       | Fixed Wireless Holdings, LLC          | 2/20/2009  |
| BTA198     | Huntsville, AL                   | Fixed Wireless Holdings, LLC          | 2/18/2009  |
| BTA203     | Indiana, PA                      | Clearwire Corporation                 | 2/18/2009  |
| BTA255     | Lima, OH                         | American Telecasting Development, LLC | 2/18/2009  |
| BTA290     | Memphis, TN                      | Fixed Wireless Holdings, LLC          | 2/20/2009  |
| BTA291     | Merced, CA                       | Fixed Wireless Holdings, LLC          | 2/18/2009  |
| BTA328     | Oil City-Franklin, PA            | Clearwire Spectrum Holdings LLC       | 2/18/2009  |
| BTA367     | Quincy, IL -- Hannibal, MO       | NSAC, LLC                             | 12/17/2008 |
| BTA370     | Reading, PA                      | Clearwire Spectrum Holdings LLC       | 2/18/2009  |