



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES COMMENCEMENT OF AN AUDIT OF THE CONSTRUCTION AND OPERATIONAL STATUS OF PRIVATE LAND MOBILE RADIO STATIONS

The Federal Communications Commission's Wireless Telecommunications Bureau (Bureau) is conducting an audit of the construction and operational status of the Private Land Mobile Radio (PLMR) stations licensed on frequencies below 512 MHz that are subject to frequency coordination and rule-based construction and operational requirements. The purpose of this audit is to update and increase the accuracy of the Commission's PLMR licensing database.

The Commission's Part 90 rules for PLMR stations require construction within a specified time frame (47 C.F.R. § 90.155(a)), and that stations remain operational (47 C.F.R. § 90.157), in order for the license to remain valid. When a licensee fails to construct its authorized PLMR facilities within the requisite construction period, or allows its constructed station(s) to discontinue operations for a period of one year, the station license cancels automatically (47 C.F.R. §§ 90.155(a), 90.157). Furthermore, a licensee is obligated to notify the Commission if its facilities are not timely constructed or its operations cease for more than one year. If a station is not placed in operation within the required time, the authorization must be returned to the Commission (47 C.F.R. § 90.155(a)).

As part of the audit, the Bureau is sending letters to those Part 90 licensees with authorized facilities operating on frequencies below 512 MHz to inquire about the operational status of the PLMR stations for which they are licensed. The Bureau will commence mailing the letters on August 15, 2001. Because of the large number of letters being mailed, the Bureau will mail them over a period of approximately six months. For the convenience of the licensees who will receive a letter, the Bureau is providing an attachment to the letters listing the licensee's call sign(s). The Bureau has tried to consolidate all of a licensee's call signs in one letter. However, because of slight variations in licensee name, the attention line and address, an entity may receive more than one audit letter.¹

¹ In this case, the call signs listed on each letter will be different. Therefore, a licensee must respond to each letter sent by the Commission in order to account for all of its call signs that are part of the audit.

Licenses are required to provide a response to the audit letter(s) using the appropriate column(s) on the attachment indicating whether or not each station authorized under a call sign listed on the attachment is constructed and operating. An authorized employee of the licensee must certify to the accuracy of the response(s). Licensees must respond to the Bureau's letter(s) within sixty (60) days of the date on the letter. Licensees must provide true and complete responses, and may be subject to sanctions for misrepresentations or willful material omissions.² The Commission may conduct random station inspections to insure the completeness and accuracy of the responses it receives.

The response must be mailed to:

Federal Communications Commission
2001 PLMR Spectrum Audit Responses
1270 Fairfield Road
Gettysburg, PA 17325-7245

Failure to respond to this inquiry within the specified time frame may result in imposition of a forfeiture or other enforcement action.³

Licenses may check the Commission's web page at www.fcc.gov/wtb/plmrs/audit.html to see if the Commission has sent them audit letter(s) and to determine what call sign(s) those letters include. In addition, this website will indicate the responses to the letters the Commission has received (excluding any attachments). Consequently, licenses and the general public can use the website to verify that the Commission has received an audit response or to view the information a particular licensee has submitted.

Copies of individual responses, including exhibits, may be obtained from International Transcription Services, Inc. (ITS), 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800.

For further information on this matter, please call 1-888-225-5322 and select option 2 or visit the WTB web site at www.fcc.gov/wtb/plmrs/audit.html.

Action by the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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² See Sections 1.17 and 1.80 of the Commission's Rules, 47 C.F.R. §§ 1.17, 1.80. See also, 47 U.S.C. Section 503(b).

³ See 47 U.S.C. Section 503(b); 47 C.F.R. Section 1.80.