



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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WIRELESS TELECOMMUNICATIONS BUREAU CONFIRMS CERTAIN 220 MHZ PHASE I LICENSES CANCELLED AS A RESULT OF SPECTRUM AUDIT

On May 14, 2003, the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau (Bureau) began its license audit of the operational status of certain site-specific licenses operating in the 220 – 222 MHz (220 MHz) band. Specifically, the audit included licenses in the following services:

- “QT” – Non-nationwide 5-channel trunked systems
- “QD” – Non-nationwide data
- “QO” – Non-nationwide other

Note: This audit did not include geographic-area licenses granted following the 220 MHz auctions or 220 MHz licenses authorized for public safety, mutual aid, or emergency medical services.

On May 14, 2003, 452 letters were mailed to all licensees operating in the QT, QD, and QO radio services inquiring into the operational status of each license held. Each licensee was required to respond and certify, by June 13, 2003, that its authorized station(s) had not permanently discontinued service (*i.e.*, discontinued operations for one year or more). The audit letter, mailed to each licensee at its address of record, included the call signs of the licensee's authorizations involved in this audit. In addition, the Bureau released an initial Public Notice announcing the audit,¹ as well as several follow-up Public Notices explaining that the audit was underway and setting forth the audit process.² We received 326 (72%) responses to this audit letter. On July 8, 2003 the Bureau mailed a second audit letter and notice of cancellation to those who did not respond to the first audit letter, requiring them to respond to the audit by August 7, 2003. As of October 3, 2003, we had received 47 (37%) responses to the second audit letter.

In the audit letters that were mailed to the individual licensees, as well as in the Bureau's Public Notices, we expressly indicated that a response to the audit letter was mandatory. We also indicated that failure to

¹ See “Wireless Telecommunications Bureau Announces An Audit of the Operational Status of Certain 220-222 MHz Licenses,” *Public Notice*, DA 03-1089 (rel. April 9, 2003).

² See “Wireless Telecommunications Bureau Begins an Audit of Licenses in Certain 220 – 222 MHz Band Services,” *Public Notice*, DA 03-1735 (rel. May 20, 2003); “WTB To Mail its Second License Audit Letter and Notice of Cancellation to Certain Licensees in the 220 – 222 MHz Band,” *Public Notice*, DA 03-2100 (rel. June 30, 2003).

provide a timely response might result in the Commission's presumption that station at issue was non-operational for one year or more and therefore automatically cancelled. The Bureau's second audit letter explicitly stated that failure to timely respond to the audit letter may result in the loss of the licensee's authority to operate on the station(s) at issue in the audit letter. The Bureau has received no response to either of the audit letters for the station licenses that are set forth in Appendix A. The Bureau therefore presumes that the stations identified in Appendix A have been non-operational for a period of one year or more, and confirms that these station licenses have cancelled automatically pursuant to 47 C.F.R. §90.157 of the Commission's rules.³ Action has been taken in the Universal Licensing System to terminate these licenses.

For additional information on the 220 MHz license audit, visit the 220 MHz audit web site at <http://wireless.fcc.gov/licensing/audits/220> or contact Denise Walter of the Bureau's Commercial Wireless Division at 202-418-0620 or denise.walter@fcc.gov.

³ 47 C.F.R. § 90.157.

APPENDIX A

WPCW576	QT	BADE, ROBERT
WPCT285	QT	BENNINGFIELD, LEONA J
WPCV481	QT	BOLDING, RAMONA L
WPBN550	QT	BORDEN JR, MILTON E
WPCW409	QT	BRENTWOOD 220 SMR
WPCV944	QT	BUFFALO 220 SMR
WPDN742	QT	CAMPBELL, BILLY T
WPCV255	QT	CHIN, WILLIAM H
WPCR235	QO	CLEVELAND COMMUNICATIONS INC
WPCW837	QT	CORNELL, JANE
WPDH405	QT	D W N ENTERPRISES
WPDN883	QT	DENSLOW, LEO
WPCW779	QT	EQUITEC COMMUNICATIONS SYSTEMS
WPCJ236	QT	FIRST FLORIDA COMMUNICATIONS INC
WPCK255	QT	FIRST FLORIDA COMMUNICATIONS INC
WPFJ733	QT	FIRST FLORIDA COMMUNICATIONS INC
WPFJ414	QT	FIRST FLORIDA COMMUNICATIONS INC
WPCV512	QT	GILSTAD, DENNIS J
WPDF703	QT	GOLDBERG, ERIC M
WPDC211	QT	GROVER, DENISE
WPDM573	QT	HAIL MARY PARTNERSHIP
WPKD223	QT	HARRIS, KAY
WPCJ958	QT	HARRIS, KAY
WPDN988	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCV795	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCV797	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCV807	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCX241	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCX242	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPCX531	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPKF702	QT	HART IV, ROBERT A:HART, H RANDOLPH DBA COLUMBIA CELLULAR LP
WPKD227	QT	HONOHAN HARWOOD CHERNETT & WASSERMAN
WPKD560	QT	J&J MOBILE SYSTEMS
WPCA939	QT	JONES, ELIZABETH A
WPCX224	QT	KILMER, DAVID A
WPCX306	QT	KUNKLE, DAVID
WPKJ551	QT	KURTZ, VIRGINIA
WPEZ861	QT	LA VENTURA SMR PARTNERSHIP
WPCW797	QT	LAS VEGAS MOBILE COMMUNICATION PARTNERSHIP
WPET490	QT	LEONG, KATHRYN
WPCB661	QT	LOVETT, DELORES
WPCD829	QT	LOVETT, WILLIAM W
WPCX639	QT	MICOM PARTNERS
WPCX757	QT	NET RADIO GROUP COMMUNICATIONS LLC
WPCR622	QT	PFLUEGER, ARTHUR E:PFLUEGER, PATRICIA A DBA PFLUEGER ENTERPRISES

WPCX401	QT	PHOENIX DISPATCH DATA 220 OPERATING PARTNERSHIP
WPCV592	QT	RESPONSE COMM INC
WPCP710	QT	RIEDE, JAMES P
WPCY431	QT	RUBIN, ALISSA A
WPDN766	QT	SAKO COMMUNICATIONS
WPDN770	QT	SAKO COMMUNICATIONS
WPDN822	QT	SAKO COMMUNICATIONS
WPCW422	QT	SEAGATE COMMUNICATION GROUP
WPEN965	QT	SMR LICENSE POOL II LC
WPDX716	QT	STARKWEATHER, GARY
WPEH231	QT	SUTINEN, GERALD W
WPCV406	QT	TRICOM PARTNERS
WPEP807	QT	WASHINGTON DISPATCH DATA 220 SMR PARTNERSHIP
WPDW617	QT	WELLS, DARRELL R:KILEY, DONNA J DBA SMC OPTIONS
WPBR455	QT	YOUNG, GARY A