



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU CONCLUDES PAGING AUDIT AND RETURNS CERTAIN LICENSES TO ACTIVE STATUS

The Wireless Telecommunications Bureau (Bureau) has concluded its audit of the operational status of site-specific stations licensed under the Paging and Radiotelephone Service (Part 22) with a radio service code of “CD” and site-specific stations licensed on 929-930 MHz Private Carrier Paging exclusive channels (Part 90) with radio service code “GS” (Paging Audit).¹ In addition, upon close of the reconsideration period of the Public Notice listing licenses from this Audit that were presumed to have permanently discontinued operations and therefore automatically terminated, the Bureau granted nine petitions, which returned eleven licenses from terminated to active status in the Commission’s Universal Licensing System.

Audit Background

On September 28, 2004, the Bureau mailed its initial round of Paging Audit letters,² requiring licensees to inform the Bureau, by electronic response, whether their authorized station(s) had permanently discontinued service, as defined under Section 22.317 of the Commission’s rules.³ To facilitate a timely response and to provide a convenient method for filing responses electronically, the Bureau made the Audit software available on its internet site. While many licensees responded to the Paging Audit letters, many did not. On December 7, 2004, the Bureau sent a follow-up letter to each licensee that had not responded to the first inquiry.⁴ As in the first letter, licensees were advised that a response was mandatory and that failure to respond could lead to a presumption that the station had permanently discontinued operations, resulting in automatic cancellation of the license. Because of an internal

¹ Wireless Telecommunications Bureau Announces an Audit of the Operational Status of Stations Authorized in the Paging and Radiotelephone Service (Part 22) and Stations Authorized on 929-930 MHz Private Carrier Paging Exclusive Channels (Part 90), *Public Notice*, 19 FCC Rcd 16270 (Aug. 24, 2004).

² Wireless Telecommunications Bureau Begins an Audit of Site-Specific Licenses in the Paging and Radiotelephone Service (Part 22) and Site-Specific Licenses Operating on 929-930 MHz Exclusive Private Carrier Paging Channels (Part 90), *Public Notice*, 19 FCC Rcd (Sept. 29, 2004).

³ 47 C.F.R. § 22.317. Section 22.317 provides that “[a]ny station that has not provided service to subscribers for 90 continuous days is considered to have been permanently discontinued, unless the applicant notified the FCC otherwise prior to the end of the 90 day period and provided a date on which operation will resume, which date must not be in excess of 30 additional days.” *Id.*

⁴ Wireless Telecommunications Mails Its Second License Audit Letter and Notice of Cancellation To Certain Licensees in the Paging and Radiotelephone Service and Site-Specific Licensees Operating On 929-930 MHz Private Carrier Paging Exclusive Channels, *Public Notice*, 19 FCC Rcd 23609 (Dec. 8, 2004).

processing error, a few licensees did not receive this second letter and a third letter was mailed on January 13, 2005. The January 21, 2005 deadline to respond to the Paging Audit letter was also extended to February 21, 2005.⁵

Petitions for Reconsideration

On March 9, 2005, the Bureau issued a Public Notice listing licenses for which a response had not been received to any of the Paging Audit letters.⁶ Because it had not received a response over the course of the Audit, the Bureau presumed that the stations had permanently discontinued operations and, as a result, the licenses automatically terminated under Commission rules. The Public Notice was published in the Federal Register on April 13, 2005, establishing a reconsideration period ending on May 13, 2005.⁷

The Bureau received nine petitions for reconsideration from licensees that did not respond to the audit inquiries, but have certified that their stations have not permanently discontinued service as defined under Section 22.317 of the Commission's rules. The Bureau granted those petitions and returned the following licenses to active status:

Airphone, Inc.	KWT968, KWT969, and KNKC358
Monroe County, New York	WPWY916
R&G Distributors, Inc.	KNKP423
Always Answering Service, Inc.	KNKI217
Air-Page, Inc.	KNKJ255
Page'N Tel, Inc.	KDS450
Mann Telecommunications	KNLM914
Jackson Memorial Hospital	KNEJ924
Lowrance Sound Company, Inc.	KWT915

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

⁵ Wireless Telecommunications Bureau Extends Filing Deadline for its Current License Audit Encompassing Licenses in the Paging and Radiotelephone Service (Part 22) and Licenses Operating on Private Carrier Paging Exclusive Channels (Part 90), *Public Notice*, DA No. 05-107 (rel. Jan. 18, 2005).

⁶ Wireless Telecommunication Bureau Confirms Certain Licenses in the Paging and Radiotelephone Service and Certain Licenses Operating on 929-930 MHz Private Carrier Paging Exclusive Channels Terminated as a Result of Spectrum Audit, *Public Notice*, DA 05-491 (rel. March 9, 2005).

⁷ 70 Fed.Reg. 19455 (2005).