



PUBLIC NOTICE

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

News Media Information 202 / 418-0
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU EXTENDS NEGOTIATION PERIOD BETWEEN SPRINT NEXTEL AND BORDER AREA NON-NPSPAC LICENSEES IN WAVE 4, STAGE 1 OF 800 MHZ BAND RECONFIGURATION

WT Docket No. 02-55

By this Public Notice, the Public Safety and Homeland Security Bureau (PSHSB) extends the mandatory negotiation period for border-area non-NPSPAC (Stage 1) licensees in Wave 4 of the 800 MHz Transition Administrator's (TA) band reconfiguration schedule from September 30, 2007 to January 2, 2008, and postpones the beginning of the mediation period for such licensees until January 3, 2008.¹ As we have noted in prior public notices, rebanding of border area licensees in this wave is affected by ongoing international discussions on US-Canada and US-Mexico border issues.² Extending the negotiation period for these licensees will alleviate administrative burdens on licensees, avoid unnecessary rebanding expenditures, and provide additional time for resolution of border issues and issuance of frequency designations by the TA.

During the extended negotiation period, Wave 4, Stage 1 border area licensees are not required to engage in planning or negotiation prior to the receipt of frequency designations from the TA, though they may engage in such activities to the extent that they are not frequency-dependent and would not result in unnecessary duplication of costs. If licensees choose to engage in such planning and negotiation activities, Sprint shall pay licensees' reasonable costs in accordance with the requirements of the Commission's orders in this proceeding.³

This extension extends the filing freeze on new applications in Wave 4, Stage 1 border areas until thirty working days after the January 2, 2008 date for completion of negotiations, *i.e.*, until February 14, 2008.⁴ However, the freeze does not apply to modification applications that do not change an 800 MHz frequency or expand an 800 MHz station's existing coverage area (*e.g.*, administrative updates), assignments/transfers, or renewal-only applications. In addition, Wave 4, Stage 1 border area licensees may expand their facilities or add channels during the freeze, based on an appropriate showing of public

¹ The TA's band reconfiguration schedule may be viewed at www.800ta.org.

² PSHSB has previously extended the negotiation period for this wave through September 30, 2007. See Public Safety and Homeland Security Bureau Extends Negotiation Period Between Sprint Nextel and Border Area Non-NPSPAC Licensees in Wave 4, Stage 1 of the 800 MHz Band Reconfiguration, *Public Notice*, 22 FCC Rcd 11658 (PSHSB 2007).

³ See FCC Announces Supplemental Procedures and Provides Guidance for Completion of 800 MHz Rebanding, *Public Notice*, FCC 07-168, released September 12, 2007, at 5.

⁴ See Wireless Telecommunications Bureau Outlines Application Freeze Process for Implementation of 800 MHz Band Reconfiguration, *Public Notice*, 20 FCC Rcd 8905 (WTB 2005).