



Federal Communications Commission
Washington, D.C. 20554

September 14, 2009

DA 09-2045

Nadja S. Sodos-Wallace
Senior Regulatory Counsel, Assistant Secretary
Clearwire Corporation
815 Connecticut Avenue, N.W., Suite 610
Washington, D.C. 20006

RE: WT Docket No. 06-136
Request for Extension of Time

Fixed Wireless Holdings, LLC
Transition of the 2500-2690 MHz Band
Transition Area: BTA Number 36: Bellingham, WA

Dear Ms. Sodos-Wallace:

On January 29, 2009,¹ March 30, 2009,² and August 27, 2009,³ Fixed Wireless Holdings LLC, a wholly-owned subsidiary of Clearwire Corporation (together "Clearwire"), filed Requests for Extension of Time to complete the transition for the Bellingham, Washington Basic Trading Area (BTA) Number 36. For the reasons discussed below, we grant Clearwire's requests and extend the deadline for completing the transition of the Bellingham, Washington BTA Number 36 to March 15, 2010.

On November 2, 2006, Clearwire submitted an Initiation Plan for Bellingham, Washington BTA, which borders on Canada.⁴ According to the Commission's Rules, Clearwire was originally required to complete the transition by October 17, 2008.⁵ On January 16, 2009, the Broadband Division of the Wireless Telecommunications Bureau extended the deadline for Clearwire to complete the transition in the Bellingham BTA to February 2, 2009.⁶ That extension was granted based on Clearwire's good faith efforts to transition the Bellingham BTA by transitioning licenses held by itself and the Nextel Spectrum

¹ Letter from Cathy Massey, Vice President, Regulatory Affairs, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Jan. 29, 2009) (Clearwire First Letter).

² Letter from Nadja S. Sodos-Wallace, Senior Regulatory Counsel, Assistant Secretary, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Mar. 30, 2009) (Clearwire Second Letter).

³ Letter from Nadja S. Sodos-Wallace, Senior Regulatory Counsel, Assistant Secretary, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (dated Aug. 27, 2009) (Clearwire Third Letter).

⁴ See Initiation Plans Filed in WT Docket No. 06-136, *Public Notice*, 21 FCC Rcd 13537 (WTB 2007) at 2.

⁵ See 47 C.F.R. §§ 27.1232(a) and (b)(1)(vi).

⁶ See Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau to Nadja Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 24 FCC Rcd 411 (WTB BD 2009).

Acquisition Corporation, contacting the Commission on how to proceed with a transition on the U.S./Canadian border, and working with the relevant Canadian operators.⁷

Clearwire now states that it is continuing to work with the relevant Canadian operators to obtain the necessary consents.⁸ It reports that one of the Canadian operators is awaiting information from Industry Canada before deciding whether to consent to Clearwire's post-transition operations.⁹ Clearwire states that due to the unavailability of the operator's contact with Industry Canada, Clearwire is now seeking to work with other individuals within the company.¹⁰ The other operator has concerns about limited spectrum availability as Clearwire transitions its system to the new band plan.¹¹ Clearwire admits that long term consents are unlikely until Industry Canada finalizes a new band plan for the 2.5 GHz band.¹² Clearwire requests a six month extension to complete the process.¹³

We find that Clearwire has acted diligently and in good faith in working with the relevant Canadian operators to transition the Bellingham BTA. It appears that no party would be prejudiced by a grant of this extension, particularly since subsidiaries of Clearwire are now the only licensees in the BTA, and Clearwire can continue operating pursuant to the old band plan until the transition is completed. Thus, we grant Clearwire an additional extension of time to transition the Bellingham, Washington BTA until March 15, 2010.

Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 1.46 and 27.1232(b)(1)(vi) of the Commission's Rules, 47 C.F.R. §§ 1.46, 27.1232(b)(1)(vi) that the Requests for Extension of Time filed by Fixed Wireless Holdings, LLC on January 29, 2009, March 30, 2009, and August 27, 2009 ARE GRANTED, and the time for completing the transition in the Bellingham, Washington Basic Trading Area (BTA 36) IS EXTENDED TO March 15, 2010.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

Sincerely yours,

John J. Schauble
Deputy Chief, Broadband Division
Wireless Telecommunications Bureau

⁷ *Id.* at 2.

⁸ Clearwire First Letter at 2; Clearwire Second Letter at 2; Clearwire Third Letter at 2.

⁹ Clearwire First Letter at 2.

¹⁰ Clearwire Second Letter at 2.

¹¹ Clearwire First Letter at 2; Clearwire Third Letter at 2.

¹² Clearwire Third Letter at 2.

¹³ Clearwire Second Letter at 2.