



Federal Communications Commission
Washington, D.C. 20554

January 16, 2009

DA 09-78

Stephen E. Coran, Esq.
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Clearwire Corporation
1615 L Street, N.W., Suite 1325
Washington, D.C. 20036

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

Polar Communications
Transition of the 2500-2690 MHz Band
Transition Area: BTA Number 166: Grand Forks, ND

Dear Mr. Coran:

On December 3, 2008, Polar Communications ("Polar") filed a Request for Extension of Time to complete the transition for the Basic Trading Area (BTA) noted above.¹ For the reasons discussed below, we grant Polar's request in part and extend the deadline for completing the transition in BTA Number 166 to July 2, 2009.

Polar submitted an Initiation Plan for the Grand Forks BTA on April 5, 2007.² According to the Commission's Rules, Polar was required to complete the transition by January 4, 2009.³ Polar states that its ability to complete the transition is dependent on the disposition of request to opt out of the transition filed by United Telephone Mutual Aid Corporation (United) and a late-filed renewal application filed by Cavalier Public School District #6 (Cavalier).⁴ It claims that its ability to complete the transition is "inextricably linked" to a decision on those requests.⁵ Polar believes that it cannot complete the transition until the Commission issues a decision on those matters and knows which licensees it must transition.⁶ It requests an extension until 90 days after the last Commission decision on those matters.⁷

We find that Polar has shown good cause for an extension. We believe that the grant allows Polar to move forward with transitioning the Grand Forks, North Dakota BTA. We conclude that a 180-day extension is appropriate. It appears that no party would be prejudiced by a grant of this extension,

¹ Letters from Stephen E. Coran, Esq. to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Dec. 3, 2008) (Extension Request).

² Letter from David Dunning, General Manager/CEO Polar Communications to Marlene H. Dortch, Federal Communications Commission, WT Docket No. 06-136 (dated Apr. 5, 2007).

³ See 47 C.F.R. §§ 27.1232(a) and (b)(1)(vi).

⁴ Extension Request at 1.

⁵ *Id.*

⁶ *Id.* at 2.

⁷ *Id.*

particularly since licensees can continue operating pursuant to the old band plan until the transition is completed. We note that copies of the requests were served on the affected licensees, and no oppositions were filed. Thus, we grant Polar an extension of time to transition the BTAs noted above until July 2, 2009.⁸

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 Request for Extension of Time filed by Polar Communications on December 3, 2008 IS GRANTED IN PART, and the time for completing the transition in Basic Trading Area 166 (Grand Forks, North Dakota) listed above IS EXTENDED TO July 2, 2009.

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

⁸ We do not believe that the pendency of Cavalier's late-filed renewal application should delay the transition of the remainder of the BTA. If and when Cavalier's waiver request is granted, Polar and Cavalier should work together to take such actions as are necessary to modify Cavalier's license to reflect the new band plan.