



PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES LONG TERM DE FACTO TRANSFER SPECTRUM LEASE AGREEMENT FILED BY THE STATE OF TEXAS TO ESTABLISH A 700 MHZ INTEROPERABLE PUBLIC SAFETY WIRELESS BROADBAND NETWORK

PS Docket No. 06-229

On May 12, 2011, the Bureau released an order (*Texas Waiver Order*) granting the State of Texas (Texas) a conditional waiver for early deployment of a 700 MHz public safety broadband network.¹ The Bureau required Texas “to adhere to the same cumulative conditions as those imposed on the initial group of waiver recipients,” including the “leasing provisions” of the May 2010 *Waiver Order*.² Specifically, the *Texas Waiver Order* required Texas to execute a *de facto* spectrum transfer lease agreement with the Public Safety Spectrum Trust (PSST) and submit the agreement for Bureau approval by July 11, 2011.³

Texas submitted a long term *de facto* transfer spectrum lease agreement to the Bureau on June 7, 2011.⁴ We have reviewed the lease agreement and determined that it satisfies the leasing provisions of the *Waiver Order* as incorporated into the *Texas Waiver Order*. Accordingly, the Bureau hereby approves the Texas lease agreement.

You can view the lease agreement in the Universal Licensing System, located at <http://wireless.fcc.gov/uls>. The agreement is located under the ADMIN tab of the PSST’s call sign, WQHW226.

For additional information or assistance on how to view the lease agreement, you may visit <http://esupport.fcc.gov>. You may also call the FCC Support Center at (877) 480-3201 (TTY) 717-338-2824 and select Option #2. Assistance from the FCC Support Center is available between the hours of 8 a.m. and 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

For further information about this Public Notice, please contact Jennifer Manner, Deputy Chief, Public Safety and Homeland Security Bureau, at (202) 418-3619.

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¹ See Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, DA 11-863 (PSHSB 2011) (*Texas Waiver Order*).

² *Id.* at 5 ¶ 14; see also Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, 25 FCC Rcd 5145, 5147 ¶ 7 (2010) (*Waiver Order*).

³ See *Texas Waiver Order* at 6-7 ¶ 18.

⁴ See State of Texas Lease Agreement, PS Docket 06-229 (filed June 7, 2011).