



Federal Communications Commission
Washington, D.C. 20554

October 17, 2011

DA 11-1725

Nadja S. Sodos-Wallace
Senior Regulatory Counsel and Assistant Secretary
Clearwire Corporation
1250 Eye Street, NW, Suite 901
Washington, DC 20005

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

Clearwire Corporation
Transition of the 2500-2690 MHz Band
Transition Areas: BTA Number 293: Miami-Fort Lauderdale, FL
BTA Number 469: West Palm Beach-Boca Raton, FL

Dear Ms. Sodos-Wallace:

On October 4, 2011, Clearwire Spectrum Holdings II, LLC (CSHII) and WPSWP LLC (WPSWP), wholly-owned subsidiaries of Clearwire Corporation (together "Clearwire"), filed a request for extension of time to complete the transition for the Basic Trading Areas (BTA) noted above.¹ For the reasons discussed below, we grant the Extension Request and extend the deadline for completing the transition in those BTAs to January 15, 2012.

CSHII filed its Initiation Plan for the Miami-Fort Lauderdale, FL BTA on September 23, 2008.² According to the Commission's Rules, CSHII was required to complete the transition by June 23, 2010.³ WPSWP (formerly WPSWP Licensing Corporation) filed its Initiation Plan for the West Palm Beach-Boca Raton, FL on September 30, 2008.⁴ According to the Commission's Rules, WPSWP was required to complete the transition by June 30, 2010.⁵ The Broadband Division of the Wireless Telecommunications Bureau previously granted extensions until October 15, 2011 to complete the transition in those BTAs.⁶

¹ Letter from Nadja S. Sodos-Wallace, Senior Regulatory Counsel and Assistant Secretary, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Oct. 4, 2011) (Extension Request).

² Letter from Terri B. Natoli, V.P. Regulatory Affairs & Public Policy, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Sep. 23, 2008).

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

⁴ Letters from Robert H. McNamara, Director, Spectrum Management, Government Affairs, Sprint Nextel Corporation, to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Sep. 30, 2008).

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, 26 FCC Rcd 10295 (WTB

Clearwire states that negotiating the transition process and related agreements took longer than expected because of the large number of licensees in the two BTAs and the interrelationship between the two BTAs.⁷ Clearwire reports that there were several delays in the delivery of equipment necessary to complete the transition.⁸ Clearwire reports that while equipment has been delivered and installation is underway, some receive site installation has not yet been completed.⁹ Clearwire claims that those receive sites required additional work above and beyond a standard transition.¹⁰ According to Clearwire, all licensees are currently transmitting on the new channel plan, and all video operations that wished to transition have been moved to the Middle Band Segment.¹¹ Clearwire says that this delay is clearly beyond its control, and it respectfully asks for additional time to complete the transition process and to file its transition completion notice.¹²

We find that Clearwire has shown good cause for an extension. An extension will allow CSHII and WPSWP to work cooperatively to transition the Miami-Fort Lauderdale, FL and West Palm Beach-Boca Raton, FL BTAs. We note that transitioning this region is particularly complex because of the large number of licensees and different systems involved. Furthermore, it appears that no party would be prejudiced by a grant of this extension, 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 Clearwire an extension of time to transition the Miami-Fort Lauderdale, FL and West Palm Beach-Boca Raton, FL BTAs until January 15, 2012.

We note that all EBS licensees must make a showing of substantial service by November 1, 2011.¹³ EBS licensees in these BTAs will be able to make that showing based on their current operations, whether they are operating under the old band plan or the new band plan. Our action herein does not indicate that there would be favorable action on any request for extension of time to demonstrate substantial service from licensees in these markets. Such requests would be considered pursuant to the standards contained in Section 1.946(e) of the Commission's Rules.¹⁴

BD 2011); Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau to Nadja Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 26 FCC Rcd 366 (WTB BD 2011); Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau to Nadja Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 25 FCC Rcd 9195 (WTB BD 2010).

⁷ Extension Request at 2.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ See National EBS Association and Catholic Television Network, Request for Extension of Time to Demonstrate Substantial Service on EBS Spectrum, WT Docket No. 11-22, *Memorandum Opinion and Order*, 26 FCC Rcd 4021 (WTB 2011). BRS licensees in these BTAs were required to demonstrate substantial service by May 1, 2011. See 47 C.F.R. § 27.14(o). Our records indicate that all BRS licensees in the Miami-Fort Lauderdale, FL and West Palm Beach-Boca Raton, FL BTAs filed substantial service showings.

¹⁴ See 47 C.F.R. § 1.946(e).

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 Clearwire Spectrum Holdings II, LLC and WPSWP LLC on October 4, 2011 to complete the transition in the Miami-Fort Lauderdale, FL and West Palm Beach-Boca Raton, FL BTAs IS GRANTED, and the time for completing the transition in those BTAs IS EXTENDED TO January 15, 2012.

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