



PUBLIC NOTICE

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DA 11-563
March 28, 2011

700 MHz PERFORMANCE STATUS REPORTS DUE BY JUNE 13, 2011

In this Public Notice, the Wireless Telecommunications Bureau (Bureau) reminds certain 700 MHz licensees to file interim performance status reports beginning May 14 and no later than June 13, 2011. The Bureau provides filing information below.

Background.

In the 700 MHz Second Report and Order, the Commission established an interim reporting requirement for certain 700 MHz licensees (identified below). The Commission explained that this interim reporting requirement “obligate[s] licensees to provide the Commission with information concerning the status of their efforts to meet the performance requirements and the manner in which the spectrum is being utilized.”¹ The Commission further explained that this information would be useful to “monitor whether further assessment of the rules or other actions are necessary in the event spectrum is being stockpiled or warehoused, or if it is otherwise not being made available despite existing demand.”²

Who must file?

The following 700 MHz licensees must file performance status reports: licensees holding economic area (EA) authorizations for Block A in the 698-704 MHz and 728-734 MHz bands, cellular market area (CMA) authorizations for Block B in the 704-710 MHz and 734-740 MHz bands, or EA authorizations for Block E in the 722-728 MHz band; and licensees holding regional economic area grouping (REAG) authorizations for Block C in the 746-757 MHz and 776-787 MHz bands.³ The filing requirement applies to license holders at the time the reports are filed, regardless of how long they have held the license(s).

What to file?

Section 27.14(l) of the Commission’s rules requires licensees to provide the Commission information regarding their efforts to meet their performance requirements.⁴ Specifically, reports must include the date the license term commenced, and the steps the licensee will be taking or has already taken towards timely meeting its construction deadlines, including:

¹ Service Rules for the 698-746, 747-762 and 777-792 MHz Band, WT Docket No. 06-150, *Second Report and Order*, FCC 07-132, 22 FCC Rcd 15289, 15352 ¶ 165 (2007) (*700 MHz Second Report and Order*).

² *Id.*

³ See 47 C.F.R. §§ 27.14(g), (h).

⁴ 47 C.F.R. § 27.14(l).

- The technology or technologies being deployed (e.g., CDMA, TDMA, LTE), or that the licensee plans to deploy.
- The service(s) being provided (e.g., mobile voice, mobile data, fixed voice, fixed data), or the service(s) the licensee intends to provide.
- The areas where the licensee is providing service.⁵

Licensees may illustrate the areas where they are providing service in narrative form or with maps, noting which license is associated with service in a particular area.

The Bureau recognizes that many licensees hold multiple 700 MHz licenses. For administrative ease, we encourage such licensees to file a consolidated status report. Within this report, the required information must be provided on a license-by-license basis.

The Bureau does not anticipate that licensee status reports will include competitively sensitive information such as the confidential terms and conditions of equipment contracts, site leases, or financial arrangements. Nonetheless, parties that choose to provide competitively sensitive information may seek confidential treatment in accordance with the Commission's rules and policies.⁶

Filing Procedures.

Reports must be filed electronically through the Bureau's internet site at <http://wireless.fcc.gov/uls>.

1. After opening the Bureau's Universal Licensing System webpage (<http://wireless.fcc.gov/uls>), select "ULS Pleadings" (under "ULS Online Systems") from the link options located on the left side of the page.
2. Upon reaching the Non-docketed Pleadings page, select the "700 MHz Performance Status Report" option from the Pleading Type drop-down menu.
3. In this instance, the filer is the licensee. Enter both filer information and contact information.
4. On the next page, enter the relevant call sign(s) included in the performance status report. The report will be linked to each specified call sign via the Universal Licensing System (ULS) License Search.
5. On the next page, select attachment type pleading or confidential pleading (if the filing contains confidential information).
6. If you file a confidential report, you must also file a public report with the confidential information redacted.⁷

⁵ *Id.*

⁶ *See, e.g.*, 47 C.F.R. § 0.459.

⁷ For further information regarding filing confidential information, see 47 C.F.R. § 0.459.

7. Upload your filing containing the performance status report as an attachment, and insert the following description of your attachment “700 MHz Performance Status Report.”
8. Click the “Submit Pleading” button.
9. You will receive a filing confirmation receipt from the Bureau’s filing system. Upon submitting a performance status report, it will be immediately available for public review under each associated call sign via the Universal Licensing System (ULS) License Search.

For further information, contact Keith Harper, Assistant Chief, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2759, keith.harper@fcc.gov.

Action by the Chief, Mobility Division, Wireless Telecommunications Bureau.

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