



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 19-987
OMB Control No. 3060-1161
Released: October 18, 2019

WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES PHASE 1 APPLICATIONS ACCEPTED FOR FILING, MUTUALLY EXCLUSIVE APPLICATIONS FILED, AND START DATE FOR PHASE 2 OF RELICENSING OF CERTAIN 700 MHZ SPECTRUM

WT Docket No. 06-150

1. On September 11, 2019, the 30-day Phase 1 700 MHz relicensing window closed for the following four markets where licensees failed to meet their construction requirements: (1) a portion of the Gulf of Mexico market, (2) a portion of the North Dakota 4 – McKenzie market, (3) a portion of the North Dakota 3 – Barnes market, and (4) the entire Texas 1 – Dallam market.¹ The applications listed in the Appendix to this public notice have been found acceptable for filing in Phase 1. Petitions to deny those applications must be filed within 30 days of the release of this public notice.²

2. The Appendix also indicates that two applications are mutually exclusive. The applicants will have 60 days from the date of this public notice to attempt to reach a settlement concerning the mutually exclusive applications.³ Any mutual exclusivity that is not resolved by the end of the 60-day period will subject the mutually exclusive applications to auction.⁴ As described in detail in the *Procedures Public Notice*, applicants may resolve mutual exclusivity by withdrawing or filing a minor amendment to one or both mutually exclusive applications.⁵

3. Phase 2 of the 700 MHz relicensing will begin on October 25, 2019. For information about the unserved areas available for relicensing in Phase 2, potential applicants can visit <https://arcg.is/CejT8> in order to view the map displaying the available areas.

4. During Phase 2, interested applicants, including those that were barred during Phase 1, may file applications on a rolling basis for available unserved areas that were not licensed during Phase 1 or for which there are no pending applications.⁶ We remind potential applicants, however, that licensees that

¹ See *Wireless Telecommunications Bureau Announces Start Date for Phase 1 of Relicensing 700 MHz Spectrum in Four Unserved Areas*, Public Notice, 34 FCC Rcd 4789 (WTB 2019). Additional information about the process for relicensing 700 MHz spectrum in unserved areas can be found at *Wireless Telecommunications Bureau Announces Process for Relicensing 700 MHz Spectrum in Unserved Areas*, Public Notice, 34 FCC Rcd 350 (WTB 2019) (*Procedures Public Notice*).

² See *Procedures Public Notice*, 34 FCC Rcd at 366, para. 51; 47 CFR § 1.939.

³ See *Procedures Public Notice*, 34 FCC Rcd at 367, para. 55.

⁴ 47 CFR § 27.14(j)(1); *id.*

⁵ See *Procedures Public Notice*, 34 FCC Rcd at 366-69, paras. 52-57.

⁶ 47 CFR § 27.14(j)(2); see *Procedures Public Notice*, 34 FCC Rcd at 369-70, paras. 58-59.

have failed to satisfy the construction requirements for a relicensed area are permanently barred from applying to serve that area at any future date, including during Phase 2.⁷ We will place each first-filed Phase 2 application deemed acceptable for filing on public notice for 30 days, during which time interested applicants may file mutually exclusive applications subject to the guidelines in the *Procedures Public Notice*.⁸ As Phase 2 progresses, we will update the relicensing map periodically to reflect pending applications, licenses that were issued, and areas that remain available for relicensing.

5. As noted in the *Procedures Public Notice*, we expect potential Phase 2 applicants to use due diligence to ensure that they are able to meet our coverage requirement before filing applications for the unserved areas.⁹ Licenses acquired through this process will have one year to complete construction, provide signal coverage, and offer service over 100% of the relicensed area.¹⁰ For instance, potential applicants should evaluate sites and technical requirements, e.g., site acquisition or leasing, existing infrastructure, neighboring operations, and network and backhaul needs. Applicants should apply only for those portions of the available unserved areas that accurately reflect their predicted service area based on precise engineering and projected signal propagation specific to the area. If the licensee fails to meet the construction requirement, its license will terminate automatically and it will be ineligible to apply to provide service to that area at any future date.¹¹

6. As in Phase 1, interested applicants in Phase 2 can download the publicly available map displaying the available unserved areas at <https://arcg.is/CejT8> and follow the instructions to create the shapefile(s) to be included in their applications. Shapefiles must be zipped. Subject to the restrictions and relicensing rules described in the *Procedures Public Notice*, applicants may apply for any sized area or for whatever number of available areas they choose.¹² Applicants can file by logging into ULS through the License Manager, selecting “700 MHz Relicensing” in the left frame, and choosing application purpose code “New (NE).”

7. *Further Information.* Questions regarding this public notice may be directed to Melissa Conway, Attorney Advisor, Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2887, Melissa.Conway@fcc.gov, or Jeremy Reynolds, Program Analyst, Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0447, Jeremy.Reynolds@fcc.gov.

8. Action taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission’s rules, 47 CFR §§ 0.131, 0.331, and *Service Rules for 698-746, 747-762, and 777-792 MHz Bands et al.*, Second Report and Order, 22 FCC Rcd 15289 (2007).

By the Chief, Mobility Division, Wireless Telecommunications Bureau.

⁷ See *Procedures Public Notice*, 34 FCC Rcd at 369-70, para. 59.

⁸ *Id.*; see generally *Procedures Public Notice*.

⁹ See *Procedures Public Notice*, 34 FCC Rcd at 374, para. 78.

¹⁰ 47 CFR § 27.14(j)(3); *Procedures Public Notice*, 34 FCC Rcd at 371, para. 64.

¹¹ *Id.*

¹² See generally *Procedures Public Notice*.

Appendix

| Licensee Name | File Number | Market # | Market Name | Channel Block | Date Filed | Notes |
|---------------|-------------|----------|---------------------------|---------------|------------|------------------------------------|
| AT&T | 0008795843 | CMA582 | North Dakota 3 – Barnes | B | 09/11/2019 | |
| AT&T | 0008795843 | CMA583 | North Dakota 4 – McKenzie | B | 09/11/2019 | |
| AT&T | 0008795843 | CMA652 | Texas 1 – Dallam | B | 09/11/2019 | Mutually exclusive with 0008795360 |
| T-Mobile | 0008795360 | CMA652 | Texas 1 – Dallam | B | 09/11/2019 | Mutually exclusive with 0008795843 |
| Chevron | 0008795802 | REA012 | Gulf of Mexico | C | 09/11/2019 | |