



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES ACCELERATED CLEARING IN THE 3.7-4.2 GHZ BAND

GN Docket No. 18-122

With this Public Notice, the Wireless Telecommunications Bureau (WTB) announces that Eutelsat S.A. (Eutelsat), Intelsat US LLC (Intelsat), SES Americom Inc. (SES), Claro S.A. f/k/a Star One S.A. (Claro), and Telesat Canada (Telesat) have committed to clear the 3.7-4.0 GHz band on the accelerated timeline described in the *3.7 GHz Report and Order*.¹ Together, these satellite operators have accepted, in aggregate, relocation payments that exceed the minimum threshold (80%) established by the Commission and, therefore, accelerated clearing of this band has been triggered.²

On March 3, 2020, the Federal Communications Commission (Commission) released the *3.7 GHz Report and Order*, which adopted new rules to make 280 megahertz of mid-band spectrum available for flexible use through a Commission-administered public auction of overlay licenses, plus a 20 megahertz guard band, throughout the contiguous United States by transitioning existing services out of the lower portion and into the upper 200 megahertz of the 3.7-4.2 GHz band (C-band).³ The *Report and Order* required eligible space station operators committing to accelerated clearing to make their election by May 29, 2020 to provide potential bidders with adequate certainty regarding the clearing date and payment obligations associated with each license should they become overlay licensees.⁴ The Commission found that at least 80% of accelerated relocation payments must be accepted via Accelerated Relocation Elections in order for the Commission to accept elections and require overlay licensees to pay accelerated

¹ Letter from Carlos M. Nalda, LMI Advisors, LLC for Eutelsat S.A., to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 2 (filed May 27, 2020) (Eutelsat Election); Letter from Michelle V. Bryan, Executive Vice President, General Counsel and Chief Administrative Officer, Intelsat US, LLC., to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 1 (filed May 26, 2020) (Intelsat Election); Letter from John Purvis, Chief Legal Officer, SES Americom, Inc., to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 1 (filed May 26, 2020) (SES Election); Letter from Lincoln Oliveira, General Director, Embratel Star One and Luiz Otavio Vasconcelos Prates, Regulatory Affairs, Claro Legal Representative, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 1 (filed May 28, 2020) (Claro Election); Letter from Michael Schwartz, Senior VP, Corporate & Business Development, Telesat Canada, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 1 (filed May 26, 2020) (Telesat Election).

² *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Proposed Modification, 35 FCC Rcd 2343, 2438, 2454, paras 232, 289-90 (2020) (*3.7 GHz Report and Order*).

³ *3.7 GHz Report and Order*, 35 FCC Rcd at 2345, para. 4.

⁴ *3.7 GHz Report and Order*, 35 FCC Rcd at 2454, para. 289; 47 CFR § 27.1412(c).

relocation payments.⁵

On May 11, 2020, WTB released a *Public Notice* detailing the process for making an accelerated relocation election and the commitments that eligible space station operators were required to make when filing an Accelerated Relocation Election.⁶ By electing accelerated relocation, the eligible space station operators voluntarily commit to adhere to the requirements, policies, and procedures established by the Commission in the *Report and Order*.⁷ WTB prescribed the format for filing an accelerated relocation election.⁸

Each of the eligible operators filed an election that meets the criteria set forth in the *Report and Order* and the *Public Notice*.⁹ Additionally, each eligible operator has accepted the obligations and acknowledgements associated with accelerated clearing.¹⁰

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Government Affairs Bureau at 202-418-0530 (voice, 202-418-0432 (tty)).

Additional Information. For further information regarding this Public Notice, please contact Anna Gentry, Wireless Telecommunications Bureau, at Anna.Gentry@fcc.gov or 202-418-7769.

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⁵ *Id.* at 290.

⁶ *Wireless Telecommunications Bureau Announce the Process for Accelerated Relocation Elections by Eligible Space Station Operators in the 3.7-4.2 GHz Band*, Public Notice, DA 20-503, at 1 (WTB May 11, 2020) (*Public Notice*).

⁷ For example, the *Report and Order* adopted various filing requirements for electing space station operators, such as the submission of a Transition Plan, quarterly status reports of clearing efforts, beginning December 31, 2020, and a Certification of Accelerated Relocation demonstrating, in good faith, that it has completed the necessary clearing actions to satisfy each deadline. *3.7 GHz Report and Order*, 35 FCC Rcd at 2455, 2457-58, 2461, paras. 298, 302, 316.

⁸ *Public Notice* at 2.

⁹ *3.7 GHz Report and Order*, 35 FCC Rcd at 2455, 2457-61, paras. 291, 292, 298, 302, 308, 314, 316; *Public Notice* at 2.

¹⁰ SES Election at 2; Intelsat Election at 1-4; Telesat Election at 1; Claro Election at 1; Eutelsat Election at 2.