



PUBLIC NOTICE

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INTERNATIONAL BUREAU RELEASES UPDATED LIST OF INCUMBENT EARTH STATIONS IN THE 3.7-4.2 GHZ BAND IN THE CONTIGUOUS UNITED STATES

IB Docket No. 20-205
GN Docket No. 20-305

With this Public Notice, the International Bureau (the Bureau) releases an updated list of those Fixed Satellite Service (FSS) earth stations in the 3.7-4.2 GHz band (C-band) within the contiguous United States that the Bureau has found satisfy the criteria to be classified as incumbent earth stations for purposes of the C-band transition.¹ This updated list reflects changes since the most recent version of the list of incumbent earth stations released on November 30, 2020, as updated by the *Erratum* issued on December 3, 2020 (*November 30 Incumbent Earth Station PN and December 3 Erratum*).² The Bureau also is including a changelog to assist in the identification of changes made in the incumbent earth station since the previous list.³

The updated list takes into account any responses filed by inactive and unresponsive earth stations included in the Bureau's January 19, 2021 Public Notice (*January 19, 2021 Inactive/Unresponsive Earth Station PN*) identifying reportedly inactive and unresponsive earth stations.⁴ In that PN, the Bureau provided notice to a list of: (1) operators of incumbent FSS C-band earth station antennas that have been reported as no longer operational, as reported to the Bureau by RSM US LLP (RSM), the C-band Relocation Coordinator, and/or incumbent C-band satellite operators, and (2) incumbent FSS C-band earth station operators that have not responded to communications from RSM and/or incumbent C-band satellite operators, that failure to respond within 90 days (by April 19, 2021) would result in termination of registration.

Since the PN was issued, most of these reportedly inactive and unresponsive earth stations have responded with the earth station operator taking one of the following actions: (1) surrendering the

¹ See 47 CFR § 27.1411(b)(3). The C-band transition is not occurring outside the contiguous United States, so no U.S. licensed or registered earth stations in those locations are included in the updated list. Those stations may seek reimbursement of costs directly related to the transition if they satisfy the criteria for incumbent earth station status. Those earth stations, however, are not eligible to elect lump sum payments. See *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, 35 FCC Red 2343, 2428 (2020).

² See *International Bureau Releases List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, Public Notice, DA 20-1424, 36 FCC Red 2368 (IB Nov. 30, 2020) (*November 30 Incumbent Earth Station List PN*); *Erratum*, DA 20-1448 (IB Dec. 3, 2020).

³ In the event of discrepancies between the machine-generated changelog and the updated incumbent list, the updated incumbent earth station list is determinative.

⁴ See *International Bureau Identifies Inactive C-band Incumbent Earth Station Antennas and Unresponsive C-band Earth Station Operators*, Public Notice, DA 21-81 (IB Jan. 19, 2021) (*January 19, 2021 Inactive/Unresponsive Earth Station PN*).

relevant inactive earth station call sign or closing out individual earth station antennas no longer active,⁵ or (2) confirming in the record that the earth station antenna is still active and will participate in the transition. The surrendered call signs and inactive individual antennas closed in IBFS have been removed from the incumbent earth station list; the call signs for the confirmed still-active earth stations remain on the incumbent earth station list. A limited number of earth stations identified in the *January 19, 2021 Inactive/Unresponsive Earth Station PN* failed to respond by the April 19, 2021 deadline.⁶ In a few other cases, the earth station operator responded that the earth station is indeed inactive, but did not take any steps to surrender the call sign. Pursuant to section 25.161(c), these registrations have been terminated automatically in IBFS, and have been removed from the incumbent earth station list.⁷

The updated list attached to this Public Notice also reflects a variety of changes to earth station registrations, including address or coordinate corrections, registration assignments, and other ministerial updates since the *November 30 Incumbent Earth Station PN* and *December 3 Erratum*. The Bureau has not included on the list those earth stations for which it has dismissed applications as not meeting the criteria for incumbent status. Finally, we clarify that the list does not include recently granted registrations of the additional, previously unregistered antennas for which the Bureau's *October 23, 2020 Order* granted waivers for interference protection only (and not reimbursement of transition costs).⁸ The registrations of these non-incumbent earth stations appear in IBFS with the letter "A" at the end of the call sign.

As a reminder, all incumbent earth stations that continue to operate in the C-band during the transition or in the 4.0-4.2 GHz band afterwards must maintain a valid, up-to-date registration in IBFS. For instance, incumbent earth station operators continue to be subject to the requirement under Commission rules of filing timely renewal applications when their authorizations are due to expire.⁹ In addition, when incumbent earth station operators assign earth station antennas in transactions not requiring prior Commission approval, they are required under Commission rules to notify the Commission within 30 days of consummation of the assignment.¹⁰ Finally, incumbent earth station operators who terminate operations in the 3.7-4.2 GHz band at one or more earth station antennas are required pursuant to the Commission's rules to notify the Commission when those earth station antennas

⁵ If all the antennas under a call sign are inactive, the call sign should be surrendered. If there are other active antennas under a call sign, only the individual inactive antenna(s) should be closed out in IBFS. The call sign remains active without the de-commissioned antenna(s).

⁶ The 90-day notice to inactive earth stations did not include any earth stations that applied and were accepted for lump sum election. The lump sum electors had the option to discontinue the use of the C-band. Earth stations that did not elect the lump sum are required to remain active to retain incumbent status and their eligibility for reimbursement for the costs of transitioning to the 4.0-4.2 GHz portion of the band.

⁷ 47 CFR 25.161(c) (a station authorization "shall be automatically terminated...without further notice upon [t]he removal or modification of the facilities which renders the station not operational for more than 90 days"). *See also January 19, 2021 Inactive/Unresponsive Earth Station PN* at 2 ("Failure to submit a filing to the Bureau by no later than 90 days after the release of this Notice (April 19, 2021) affirming the continued operation of the identified earth station antennas and the intent to participate in the C-band transition will result in a Bureau announcement that the authorizations identified in the attached documents filed by RSM in IB Docket No. 20-205 on January 14, 2021 have automatically terminated by operation of rule, and that those authorizations will be terminated in IBFS and removed from the incumbent earth station list.").

⁸ *See Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, Order, IB Docket No. 20-205, GN Docket No. 20-305, 35 FCC Rcd 11896 (IB 2020) (*October 23 Order*).

⁹ 47 CFR § 25.121(e).

¹⁰ 47 CFR § 25.119(f). Timely notification of such assignments is particularly important for incumbent C-band earth stations to avoid possible delay or denial of interference protection, cost reimbursement, or lump sum payments to which incumbents are entitled.

are no longer operational.¹¹

For ease of identification, the list of earth stations includes the following information from the IBFS database: (1) Licensee/Registrant/Applicant name; (2) Earth Station Callsign; (3) Site ID; (4) Antenna ID; (5) number of antennas/dishes associated with that Antenna ID; (6) site address; (7) GPS coordinates of the antenna; and (8) File Number(s) of current authorization and/or pending application.¹² The list also identifies those earth station antennas for which there is an accepted lump sum election and whether the earth station operator intends to migrate operations to the upper 200 megahertz of the band by the end of the transition or to discontinue use of the C-band.¹³

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¹¹ 47 CFR § 25.115(b)(8).

¹² Certain C-band certifications were timely filed in association with File Numbers that have since been superseded by later filings; in the list, those earth stations can be identified by the subsequent File Number. The status of an earth station antenna under the *3.7 GHz Report and Order* pertains only to the reception of satellite transmissions on 3.7-4.2 GHz by fixed earth stations and transportable (temporary fixed) earth stations.

¹³ The list includes a machine-generated changelog that identifies differences between records on this list and the *December 3 Erratum*. To the extent there are any discrepancies in the lump sum election information in the attached updated list, changelog, and the election filing(s) in IB Docket No. 20-205, the election filings are controlling.