



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

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WIRELESS TELECOMMUNICATIONS BUREAU REMINDS PART 90, SUBPART Z LICENSEES OF JANUARY 8, 2023 FINAL TRANSITION DEADLINE IN THE 3650-3700 MHZ BAND

WT Docket No. 18-353
GN Docket No. 17-258
GN Docket No. 15-319

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) reminds part 90, subpart Z wireless broadband licensees in the 3650-3700 MHz band¹ that **January 8, 2023** is the latest possible transition deadline for such licensees to either complete their transition to the Citizens Broadband Radio Service or discontinue operations in the band.²

In the *2015 Report and Order*, the Commission included the 3650-3700 MHz band in the Citizens Broadband Radio Service.³ The Commission recognized the investment of the over 2,000 part 90 incumbent licensees using the band on a non-exclusive basis and thus also provided for a transition period for these licensees.⁴ Under the transition framework, grandfathered wireless broadband licensees⁵ were given at least five years to transition operations from part 90 to part 96, or to discontinue operations in the 3650-3700 MHz band.⁶

For licenses issued or renewed after January 8, 2013, the transition period ended by rule on April 17, 2020.⁷ For grandfathered operations with a license issued before January 8, 2013, the transition

¹ See 47 CFR § 90.1301, *et seq.*

² 47 CFR §§ 90.1307, 90.1311, 90.1338, 96.21.

³ *Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354, Report and Order and Second Further Notice of Proposed Rulemaking, 30 FCC Rcd 3959, 4073-76, para. 392-409 (2015) (*2015 Report and Order*).

⁴ *Id.*

⁵ As defined in 47 CFR §§ 96.3, 96.21.

⁶ See *id.* at §§ 90.1307, 90.1311, 90.1338; see also *2015 Report and Order*, 30 FCC Rcd at 4076, para. 399 (“We do not believe it would be appropriate to extend a transition period of more than five years to those Part 90 incumbents licensed after the January 8, 2013 Federal Register publication date of the NPRM.”).

⁷ 47 CFR §§ 90.1307, 90.1338. See *Wireless Telecommunications Bureau and Office of Engineering and Technology Approve Four Spectrum Access Administrators for Full Scale Commercial Deployment in the 3.5 GHz Band and Emphasize Licensee Compliance Obligations in the 3650-3700 MHz Band Under Part 96*, Public Notice, 35 FCC Rcd 117, paras. 7-8 (WTB/OET 2020) (*3650-3700 MHz Reminder PN*); *Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band, Report and Order and Second Further Notice of Proposed Rulemaking*, 30 FCC Rcd 3959, 4070-80, paras. 387-412 (2015); 47 CFR §§ 90.1307, 90.1311, 90.1338, 96.21. Subsequently, licensees that were required to transition operations by April 17, 2020 received an

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period ended on the expiration date of the license.⁸

Absent a request for waiver or extension, we again remind all 3650-3700 MHz band part 90, subpart Z licensees that **January 8, 2023** is the latest possible transition date.⁹

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 & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Additional Information. For further information regarding this Public Notice, please contact Paul Powell, Associate Division Chief, Wireless Telecommunications Bureau, Mobility Division at paul.powell@fcc.gov or 202-418-1613.

By the Acting Chief, Wireless Telecommunications Bureau.

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extension to October 17, 2020. See *The Wireless Internet Service Providers Association and the Utilities Technology Council Request for Waiver of Sections 90.1307(c) and (d) and Sections 90.1338(a) and (b) of the Commission's Rules*, Order, 35 FCC Rcd 2750 paras. 5, 12-14 (2020) (*Extension Order*) (“Any licenses expiring between the adoption date of this order and April 17, 2020, that are eligible for renewal under 47 CFR § 90.1307(c), will be modified to expire on October 17, 2020 consistent with this order.”). Separately, a number of licensees filed requests for, and received, limited extensions of the transition period for either 60 or 120 days beyond October 17, 2020. See *Requests for Waiver of Sections 90.1307(c) and (d) and Sections 90.1338(a) and (b) of the Commission's Rules*, Order, 35 FCC Rcd 11546 (WTB 2020) (extending deadlines to December 16, 2020 or to February 14, 2021, as applicable, to licensees that satisfied the three extension prongs articulated in the *Extension Order* and otherwise met the Commission's high bar for relief). The Bureau reminded licensees of all applicable deadlines on October 16, 2020. *Part 90 Licensees in 3650-3700 MHz Band are Required to Transition to Citizens Broadband Radio Service by October 17, 2020*, Public Notice, 35 FCC Rcd 11544 (WTB 2020) (*Second Reminder PN*).

⁸ 47 CFR §§ 90.1307, 90.1338; *2015 Report and Order*, 30 FCC Rcd at 4073-76, paras. 392-409.

⁹ See 47 CFR §§ 90.1307, 90.1338, 96.21; *Extension Order*, 35 FCC Rcd 2750, 2755, para. 12 & n. 3; *3650-3700 MHz Reminder PN*, 35 FCC Rcd 117, paras. 7-8; *Second Reminder PN*, 35 FCC Rcd 11544.