



PUBLIC NOTICE

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COMMISSION ANNOUNCES INITIAL FILING WINDOW FOR TWO-WAY MULTIPPOINT DISTRIBUTION SERVICE AND INSTRUCTIONAL TELEVISION FIXED SERVICE

By the Mass Media Bureau:

By this *Public Notice*, pursuant to Section 21.27(d) of the Commission's rules, the Commission announces the initial filing window for applications for high-power signal booster stations, response station hubs, and I channel(s) point-to-multipoint transmission licenses. This window may also be utilized for filing ITFS major modification applications. This filing window will open on Monday, July 3, 2000, and will remain open through Monday, July 10, 2000. This window encompasses the business days of July 3, 5, 6, 7, and 10, 2000. Applications filed during this initial window will be deemed to have been filed as of the same day for purposes of Sections 21.909, 21.913, and 74.939(l) of the Commission's rules. These applications will not be treated as mutually exclusive by the Commission, and it will be the responsibility of the parties to resolve any conflicts.

Each applicant will be required to certify that it has met all the requirements regarding interference protection to existing and prior proposed facilities. Each applicant will also be required to certify that it has served all potentially affected parties with copies of its application and its engineering materials. Engineering analyses must comply with the methodology set out in Appendix D of the *Report and Order on Reconsideration in MM Docket No. 97-217 and RM-9060*, 14 FCC Rcd 12,764, 12,873-12,902 (1999). Further clarification of that methodology will be provided in a subsequent public notice, as will further information regarding application filing procedures.

Basic Trading Area (BTA) holders may file for new stations, utilizing one of two options. A BTA holder shall file utilizing the call sign of the BTA holder's existing station. If the BTA holder does not have an existing station license, a BTA holder may file utilizing the Application Reference Number from the BTA holder's Statement of Intention to make use of vacant MDS channels within the BTA.

Following the close of this initial window, the Commission will issue a public notice announcing the tendering for filing of applications submitted during this initial window. Following that public notice, applicants will have a period of sixty (60) days to amend their applications. Such amendments may not result in any increase in interference to any previously proposed or authorized station, or to facilities proposed during the window, absent consent of the applicant for or conditional licensee of the station that would receive such interference.

At the conclusion of the above sixty (60) day period, the Commission will issue a public notice announcing the acceptance for filing of all applications submitted during the initial window, as amended during the sixty (60) day period. All petitions to deny such applications must be filed within sixty (60) days of that public notice. On the sixty-first (61st) day after the publication of such public notice, applications for new or modified response station hubs, booster stations, and I channel(s) point-to-multipoint transmission licenses, as well as applications for ITFS major modifications, may be filed and will be processed in accordance with the provisions of Sections 21.909, 21.913, and 74.939(1) of the Commission's rules. ITFS major modification applications may also be filed at this time. Notwithstanding Section 21.31 of the Commission's rules, for each application submitted during the initial window an authorization will be issued following the sixty-first (61st) day after the Commission shall have given public notice of its acceptance for filing, unless prior to such date either a party in interest timely files a formal petition to deny or for other relief pursuant to Section 21.30(a) of the Commission's rules, or the Commission notifies the applicant that its application will not be granted.

For further information, please contact Charles Dziedzic or David Roberts at (202) 418-1600, Sharon Bertelsen at (202) 418-7057, Barrett Brick at (202) 418-1065, or Nazifa Naim at (202) 418-7059.

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