



# NEWS

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D. C. 20554

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

---

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

---

FOR IMMEDIATE RELEASE  
April 12, 2006

News Media Contact:  
Bruce Romano (202) 418-2124  
E-mail: [bruce.romano@fcc.gov](mailto:bruce.romano@fcc.gov)

## **FCC ADOPTS RELOCATION PROCEDURES AND COST SHARING RULES TO FACILITATE ACCESS OF SPECTRUM FOR ADVANCED WIRELESS SERVICES**

Washington, DC – Today, the Federal Communications Commission adopted a *Ninth Report and Order* establishing procedures by which new Advanced Wireless Service (AWS) licensees may relocate incumbent Broadband Radio Service (BRS) and Fixed Microwave Service (FS) operations in spectrum that has been allocated for AWS. These procedures will promote the rapid deployment of broadband, voice, and data services to the public by new AWS licensees, and also will minimize the disruption to incumbent BRS and FS licensees during the relocation process. The relocation rules affect existing BRS operations in the 2150-2160/62 MHz band and FS operations in the 2110-2150 MHz and 2160-2200 MHz bands. The Commission also established cost sharing obligations for AWS and Mobile Satellite Service (MSS) entrants that benefit from the relocation of FS and BRS operations in these bands.

The relocation procedures in this item generally follow the Commission's *Emerging Technologies* relocation policy, with modifications to accommodate the unique characteristics of the incumbent BRS and FS operations in the bands. The procedures are designed to balance – on one hand – the new entrant's interest to quickly deploy new services in the band, and – on the other – the need to minimize disruption, during the transition, to incumbent operations and their associated customers. The primary characteristics of this policy are as follows: (1) as the new entrant builds out its network, it will relocate incumbents; (2) a new entrant does not begin operations in a particular geographic area before relocating the incumbents with which it would cause interference; and (3) new entrants and incumbents are allowed a period of time to negotiate the terms of the incumbents' move to comparable facilities and, if the parties are unable to reach an agreement, the new entrant may involuntarily relocate the incumbent.

With respect to the Fixed Service, the *Ninth R&O* adopts unified relocation procedures, generally based on existing relocation procedures, for FS incumbents in the 2110-2150 MHz, 2160-2175 MHz, and 2175-2180 MHz bands. The item adopts mandatory negotiation periods that are individually triggered for each FS licensee in all of these AWS bands and aligns the relocation procedures for FS incumbents under Parts 101 and 22 of the Commission's rules.

The *Ninth Report and Order* also establishes cost sharing rules for AWS and MSS entrants that we believe will serve the public interest by distributing relocation costs more equitably among the beneficiaries of the relocation, encouraging the simultaneous relocation of

multi-link communications systems, and accelerating the relocation process, thereby promoting more rapid deployment of new services. These rules are based on the procedures previously used for FS relocations by Personal Communications Service licensees, and will be administered by one or more clearinghouses to be selected at a later time.

The adoption of relocation procedures for BRS also permitted the Commission to issue an *Order* dismissing as moot a petition for reconsideration of the service rules for AWS.

Action by the Commission on April 12, 2006, by *Ninth Report and Order and Order* in ET Docket No. 00-258 and WT Docket No. 02-353 (FCC 06-45). Chairman Martin, Commissioners Copps, Adelstein, and Tate. Statements issued by Commissioners Adelstein and Tate.

Office of Engineering & Technology contacts: Priya Shrinivasan at (202) 418-7005 or [priya.shrinivasan@fcc.gov](mailto:priya.shrinivasan@fcc.gov); Patrick Forster at (202) 418-7061 or [patrick.forster@fcc.gov](mailto:patrick.forster@fcc.gov).  
Wireless Telecommunications Bureau contact: Chelsea Fallon at (202) 418-7991 or [chelsea.fallon@fcc.gov](mailto:chelsea.fallon@fcc.gov).

ET Docket No. 00-258.

WT Docket No. 02-353.