



# NEWS

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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. Cir. 1974).

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FOR IMMEDIATE RELEASE:  
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## **FCC MODIFIES RULES FOR 2496-2690 MHz BROADBAND RADIO SERVICE (BRS) /EDUCATIONAL BROADBAND SERVICE (EBS) SPECTRUM BAND TO FACILITATE WIRELESS BROADBAND ACCESS**

Washington, D.C. – Today, the Federal Communications Commission (FCC) adopted an Order that continues the FCC's efforts to transform its rules and policies governing the 2496-2690 MHz Broadband Radio Service (BRS) and Educational Broadband Service (EBS) band. The actions taken in this Order will facilitate the deployment of educational and commercial wireless broadband services using this spectrum.

In today's Order, the FCC adopted several modifications and enhancements to its July 2004 BRS/EBS Report and Order which restructured the 2496-2690 MHz band. Specifically, the FCC modified the process for transitioning to the new BRS/EBS band plan by changing the transition planning area from Major Economic Areas to Basic Trading Areas. The FCC also allowed BRS and EBS licensees the option to self transition to the new band plan in markets where a proponent has not come forward or a proponent withdraws an initiation plan. With respect to leases entered into under the FCC's secondary market rules, the Commission held that EBS licensees are permitted to enter into excess capacity leases for a maximum of 30 years, but leases with terms of 15 years or longer must include a right to review the educational use requirements of the leases every five years starting at year 15. In addition, the FCC established a mechanism for eliminating overlaps between grandfathered EBS E and F channel licensees and co-channel BRS licenses by geographically splitting the overlap area. The FCC also affirmed that BRS and MSS operators can share a segment of this band at 2496-2500 MHz.

The actions taken today will provide both existing licensees and potential new entrants in the 2496-2690 MHz band with greater flexibility, thereby encouraging the efficient use of the spectrum. The Order will facilitate the growth and rapid deployment of innovative communications technologies in this band, including wireless broadband systems that have the potential to compete with landline broadband services, reach areas not served by existing broadband networks, and provide consumers with portability or mobility. In addition, today's actions will allow EBS licensees to use this band more effectively, thereby improving the ability of educational institutions to serve America's students using wireless technology.

Action by the Commission on April 12, 2006, by Order on Reconsideration and Fifth Memorandum Opinion and Order, and Third Memorandum Opinion and Order and Second Report and Order (FCC 06-46). Chairman Martin and Commissioner Tate with Commissioner

Copps concurring and Commisisoner Adelstein approving and concurring in part. Joint statement issued by Chairman Martin and Commissioner Tate, separate statements issued by Commissioners Copps and Adelstein.

For additional information, contact Nancy Zaczek, Wireless Telecommunications Bureau, at (202) 418-7590, or [Nancy.Zaczek@fcc.gov](mailto:Nancy.Zaczek@fcc.gov).

WT Docket No. 03-66  
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