

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
William M. Holland, Receiver) WT Docket No. 02-55
Station Call Sign WQCH480)
El Paso, Texas)

ORDER

Adopted: April 22, 2015

Released: April 22, 2015

By the Deputy Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau:

I. INTRODUCTION

1. Under consideration is the Request for Waiver of an April 17, 2015 Deadline for 800 MHz Rebanding Cost Estimate filed April 20, 2015 by William M. Holland, CFE, Nevada District Court Receiver, licensee of 800 MHz Station (Station) Call Sign WQCH480, El Paso, Texas (Licensee).¹ The Licensee seeks a waiver, until October 17, 2015, of the deadline for filing a cost estimate with the 800 MHz Transition Administrator (TA) for the rebanding of the station.²

II. DISCUSSION

2. The Licensee requests the waiver to provide him with additional time to negotiate with Sprint Corporation (Sprint) for either (a) sale of the Station to Sprint, or (b) submission of a cost estimate for rebanding of the Station. Despite acknowledging, with respect to extension requests, that “the additional time requested is no more than is reasonably necessary”³ the Licensee seeks a six-month extension.

3. The Licensee represents that he was appointed by the state court to sell the license, pay a creditor of the former licensee, and operate the Station pending the sale. He states that Sprint has a “potential interest” in buying the Station, however he disclaims that Sprint or the Licensee can represent to the Commission that a sale will in fact occur.⁴ The additional time is necessary, the Licensee submits, “for the parties to have adequate time to negotiate, obtain Commission approval for, consummate and close any transaction, including any required Nevada court and creditor approvals.”⁵

III. DECISION

4. The Licensee has not demonstrated why negotiations for sale of the station, or preparation of a cost estimate for rebanding the Station, should take as long as six-months. Thus, for

¹ Request for Waiver of an April 17, 2015 Deadline for 800 MHz Rebanding Cost Estimate, April 20, 2015 (Waiver Request).

² *Id.* at 1.

³ *Id.*

⁴ *Id.* at 2.

⁵ *Id.*

example, while the Licensee has described certain actions that must take place before this matter is decided, he has not set a timetable for such actions. If the negotiations for sale and the preparation of the cost estimate proceed in parallel, and the parties exercise ordinary diligence, the necessary actions should require no more than three months to complete. To that end, we are imposing a negotiation schedule to facilitate timely completion of the requisite tasks. Specifically, we direct the parties to meet a minimum of twice each week to negotiate the terms of a sale and the rebanding costs to be paid by Sprint. At the end of the three-month period, the parties shall either have filed an assignment of license from the Licensee to Sprint or reached agreement in principle on the terms of an FRA. In the event that the Licensee elects to sell the Station to a third party, an application for assignment of license to the third party shall be filed before the end of the three-month period. In the event that court and creditor approval of a transaction cannot be obtained within the three-month period, the Licensee shall file another request for waiver describing the actions necessary for approval and the additional time required.

IV. ORDERING CLAUSES

5. Accordingly IT IS ORDERED pursuant to Sections 1.925 and 90.677 of the Commission's rules, 47 C.F.R. §§ 1.925, 90.677, and Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), that that the Request for Waiver of an April 17, 2015 Deadline for 800 MHz Rebanding Cost Estimate filed April 20, 2015 by William M. Holland, CFE, Nevada District Court Receiver, IS GRANTED IN PART and DENIED IN ALL OTHER RESPECTS.

6. IT IS FURTHER ORDERED, that Sprint Corporation and William M. Holland (or the latter's designee) both with authority to bind their principals SHALL MEET twice each week for a minimum of one-half hour per meeting, until the earlier of submission of a rebanding cost estimate to the 800 MHz Transition Administrator or sale of Station, Call Sign WQCH480, to Sprint Corporation or a third party.

7. This action is taken under delegated authority pursuant to Sections 0.191(f) and 0.392 of the Commission's rules, 47 C.F.R. §§ 0.191(f) and 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
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