



## Guidance for Public Safety Licensees Applying for New 800 MHz Frequencies and Locations

### 1. What is the procedure to permanently license new facilities on frequencies in the new NPSPAC band (806-809/851-854 MHz)?

The FCC's February 10, 2009 Public Notice (DA 09-212) provides guidance on permanent licensing of new facilities in the new NPSPAC band (806-809/851-854 MHz) in non-border regions. Pursuant to the procedures established by the FCC, the applications require frequency coordination from a public safety frequency coordinator and a letter of concurrence from the 800 MHz Regional Planning Committee (RPC).

However, until rebanding is complete in a NPSPAC region, applications for new NPSPAC facilities must be submitted to the TA to verify that the requested channels are not required for rebanding purposes.

- Licensees should send a request to the TA via email to [AppReview@800TA.org](mailto:AppReview@800TA.org), providing the contact information for the parties responsible for the application and should attach the following documents:
  - A completed draft FCC Form 601 application in Adobe Acrobat (.pdf) format.
  - A letter of concurrence from the appropriate RPC in Adobe Acrobat (.pdf) format.
- Instructions for filing license applications are available on the FCC's website ([www.fcc.gov/pshs/public-safety-spectrum/800-MHz/reconfiguration.html](http://www.fcc.gov/pshs/public-safety-spectrum/800-MHz/reconfiguration.html)).
- The TA will review the request and contact the applicant if there are any questions. Upon completion of its review, the TA will provide the licensee with a letter indicating there is no impact to 800 MHz Band Reconfiguration. The licensee should submit the letter to the FCC as an attachment accompanying its FCC Form 601 application. If the requested channels are required for rebanding purposes, the TA will inform the licensee in writing.

Licensees should also obtain a letter from Sprint Nextel indicating that Sprint Nextel is aware of the application and will take appropriate steps to ensure no interference to the new NPSPAC authorization.

- Licensees' request to Sprint Nextel should be accompanied by
  - A completed draft FCC Form 601 application in Adobe Acrobat (.pdf) format.
  - A letter of concurrence from the appropriate RPC in Adobe Acrobat (.pdf) format.
- Licensees should submit requests for letters to [Robin.Cohen@Sprint.com](mailto:Robin.Cohen@Sprint.com).
- Licensees should submit the letter from Sprint Nextel as an attachment accompanying their FCC Form 601 application. After the application is granted, licensees must notify Sprint Nextel 60 days before making use of the channel.

Licensees should generally not be applying for Special Temporary Authorizations (STAs) in the new NPSPAC band, but should be seeking permanent authorizations. If the license is meant to be temporary, an STA application is appropriate.

### 2. What is the procedure to apply for new frequencies in the old NPSPAC band (821-824/866-869 MHz)?

Only Special Temporary Authorization (STA) applications can be filed for incremental locations and frequencies in the old NPSPAC band. Non-border licensees with requirements for new NPSPAC locations or frequencies are encouraged to file regular applications for frequencies in the new NPSPAC band and construct incremental facilities on frequencies in the new band.

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STA applications for frequencies in the old NPSPAC band should be filed directly with the FCC, accompanied by letter(s) of concurrence from the appropriate 800 MHz Regional Planning Committee(s). No TA review or concurrence is required prior to filing.<sup>1</sup>

Licensees should notify the TA at [AppReview@800TA.org](mailto:AppReview@800TA.org) when a new STA is granted for new facilities that they want to include in their reconfiguration and for which they need replacement frequencies. Following notification of the grant of the STA, the TA will send a Frequency Proposal Report (FPR) to the licensee.

Licensees should review the FCC's December 20, 2006 Public Notice (DA 06-2555), which provided guidance regarding license application and STA procedures during 800 MHz band reconfiguration, for more information.

**3. What is the procedure to permanently license new facilities on frequencies in the new NPSPAC band (806-809/851-854 MHz) that were previously authorized on pre-rebanding channels by Special Temporary Authorization during the 800 MHz rebanding transition?**

The FCC's February 10, 2009 Public Notice (DA 09-213) provides guidance on obtaining permanent licenses for facilities previously authorized on pre-rebanding frequencies by STAs that have been reconfigured to post-rebanding frequencies. Licensees may file an application for a permanent license of a rebanded STA facility at any time consistent with their rebanding schedule. However, the Commission recommends licensees file their applications after the completion of their infrastructure reconfiguration and after they delete the pre-rebanding frequencies from their licenses.

Licensees may apply for a new permanent license or modify their existing license. In their application, licensees should note that the application relates to the STA and it seeks to convert the STA facility to a permanently license facility in the post-rebanded frequencies.

Applications for the new NPSPAC band require a showing of concurrence by the applicable RPC. Licensees may resubmit the RPC concurrence they obtained for the STA application if there is no change to the STA facilities other than converting from the pre-rebanding to the post-rebanding frequencies. Licensees must also send a copy of the application to the appropriate RPC.

An application for the permanent license that does not add or change the frequencies, the locations, the height or power parameters of the STA, does not require TA review or concurrence.

**4. What is the procedure to permanently license new stations on frequencies in the interleaved band (809-815/854-860 MHz)?**

The FCC's December 29, 2008 Public Notice (DA 08-2810) describes the application and licensing procedures for interleaved band frequencies vacated by Sprint Nextel, which will be exclusively available to Public Safety for 3 years.

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<sup>1</sup> No TA review or concurrence is needed prior to filing any application for an STA, regardless of whether it is for pre-reconfiguration NPSPAC or non-NPSPAC frequencies. Applications for additional locations or frequencies in the pre-reconfiguration Channels 1-120 band (806-809/851-854 MHz) for frequencies and facilities that will be included in a Frequency Reconfiguration Agreement and reconfigured do not need NPSPAC Regional Planning Committee coordination or concurrence. The STA request should clearly indicate the requested facilities will be reconfigured as part of 800 MHz Band Reconfiguration.

Sprint Nextel will make interleaved frequencies available for licensing and use in each non-border region in stages, based upon when specific thresholds of clearing of channels in the old NPSPAC band are reached in each region. Applications for non-NPSPAC frequencies require coordination by a certified coordinator.

At this time, Sprint Nextel has vacated certain frequencies in the 809-809.5/854-854.5 MHz band in non-border regions. Licensees should consult the Vacated Channel Search Engine (VCSE) established by the FCC to identify specific channels that are available for licensing. Licensees are not permitted to apply for more than five channels per fixed location until January 27, 2012.

- Starting January 28, 2009, frequency coordinators could file applications on behalf of eligible licensees in the Universal Licensing System (ULS).
- To be accepted for filing, applications must be coordinated by a frequency coordinator.
- No TA concurrence or review is required.

Additional information on the application procedures is available in the FCC's December 29, 2008 Public Notice.

The TA may amend this guidance to conform with any future directions of the FCC. Licensees should ensure that they follow the latest procedures, as those are set forth by the FCC or the TA.



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#### **About the 800 MHz Transition Administrator**

800 MHz Transition Administrator, LLC ("TA LLC") is the Transition Administrator ("TA") for the reconfiguration of the 800 MHz band mandated by the Federal Communications Commission ("FCC"). TA, LLC has contracted with Deloitte Consulting L.L.P., Squire, Sanders & Dempsey L.L.P., and Baseline Telecom, Inc. to perform the duties of the TA. Among its duties, the TA establishes reconfiguration guidelines, specifies replacement channels, reviews reconfiguration cost estimates, monitors payment of reconfiguration costs, manages the relocation schedule, facilitates issue resolution and administers the alternative dispute resolution process. TA LLC uses information it receives solely for the purposes of administering the 800 MHz reconfiguration process and may disclose such information to the FCC or other authorized parties pursuant to the requirements of the 800 MHz Order or other applicable law.