



Transition
Administrator

The Official Reconfiguration Manager

Channel Clearing Request Process

Overview

Under the FCC's 800 MHz Orders, Sprint Nextel is required to vacate Channels 1-120 (806-809/851-854 MHz) in order to accommodate relocation by NPSPAC licensees (821-824/866-869 MHz). In its Third Memorandum Opinion and Order, the FCC provided additional guidance regarding NPSPAC relocation, stating that "in any case in which a NPSPAC licensee requests access to spectrum in the new NPSPAC band because it requires the spectrum for testing purposes or to commence operations, Sprint must clear the necessary channels within 90 days of the request. For any request made on or after January 1, 2008, Sprint must clear the necessary spectrum within 60 days of the request."¹ To aid this process, the TA has developed a Channel Clearing Request Form for use by licensees. Additional guidelines released by the FCC in a September 12, 2007 Public Notice provide that Sprint Nextel shall respond to channel clearing requests within 15 working days with a schedule for making the new NPSPAC channels available to the licensee.²

The use of the Channel Clearing Request Form is optional and left to the discretion of the licensee. As licensees complete or near completion of Frequency Reconfiguration Agreement ("FRA") negotiations, the TA conducts regional Implementation Planning Sessions, in which licensees present their implementation schedules and channel clearing needs.³ Licensees that attend a regional Implementation Planning Session and can provide implementation schedule dates **do not** need to submit this Form. The TA also contacts those licensees who did not attend the Implementation Planning Session in their region, to obtain their channel clearing needs and provide them to Sprint Nextel; thus, those licensees also do not need to submit this Form. Licensees with any questions as to whether to make use of the Channel Clearing Request Form are encouraged to contact the TA by phone at 1.888.800.8220.

Instructions for Submitting a Channel Clearing Request Form:

1. Download the Form from the TA's website at (www.800TA.org).
2. Complete all sections of the Form. Deal ID numbers can be found on TA FRA Approval Letters or can be provided by Sprint Nextel. Additional relevant information may include whether all the channels will need to be cleared at the same time, or if a staged implementation is planned that will require channels be cleared at different times and, if so, indicate which channels need to be cleared at which times. In addition, please indicate whether your channel clearing will need to be coordinated with the channel clearing of any other licensees that you identify.
3. Sign the Channel Clearing Request Form. In order to prevent processing delays, licensees must sign the form; consultants or vendors cannot sign forms on behalf of licensees.
4. Submit the form via fax at 1-888-807-7907 where it will be received concurrently by both Sprint Nextel and the TA.

The TA will notify licensees via email once the request has been received.

¹ Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Third Memorandum Opinion and Order*, FCC 07-167 (rel. Sept. 12, 2007) at ¶ 23.

² See *Public Notice*, "FCC Announces Supplemental Procedures and Provides Guidance for Completion of 800 MHz Rebanding," WT Docket No. 02-55, FCC 07-168 (rel. Sept. 12, 2007) at 5.

³ See *id.* at 4.

Once a Channel Clearing Request is Submitted, Sprint Nextel must:

- Respond **within 15 working days** with a schedule for making the new NPSPAC channels available to the licensee
- Clear the necessary channels
 - **within 90 days** of the request or by an alternative date agreed to between Sprint Nextel and the licensee; or
 - **within 60 days of a request made on or after January 1, 2008** or by an alternative date agreed to between Sprint Nextel and the licensee

The TA will monitor the status of channel clearing requests. Please contact the TA by phone at 1.888.800.8220 or via email at comments@800TA.org if any of the above deadlines are not met.

Guidance for Licensees:

- Licensees should request a channel clearing date consistent with their schedule for reconfiguring infrastructure or, in the case of mobile-only channels, the need to start operating on those channels. Criteria for being ready to reconfigure infrastructure generally include:
 - Completion of replacement, reprogramming, or retuning of subscriber units required to begin using the new channels, both for the licensee and interoperating users
 - Having all vendor support in place and ready to start the infrastructure retune
 - Any necessary hardware should be delivered and ready for install
 - Internal resources should be confirmed and in place for supporting the infrastructure retune
 - Completion of any necessary training
- Licensees should ensure they are prepared to utilize the cleared channels upon release of the channels by Sprint Nextel
- Licensees are required to modify their FCC license(s) to add their new frequencies prior to implementing the new channels
- Licensees may submit a channel clearing request more than 90 (or 60) days before the channels are needed. However, if licensees submit a request and the date that the channels by which are required is less than 90 days (or 60 days if the request is made after January 1, 2008) from the date of submission of the request – Sprint Nextel still has 90 days (or 60 days if the form is submitted after January 1, 2008) from the date of the submission to clear the channels
- **Licensees do not need to fill out the Channel Clearing Request Form if:**
 - The licensee has attended an Implementation Planning Session during which the licensee provided its implementation schedule dates
 - The licensee has been contacted by the TA and has provided to the TA a written communication containing the dates by which the licensee requests that the channels be cleared (The TA will forward this information to Sprint Nextel)
 - The licensee has channel clearing dates included in its FRA
- The channel clearing request process is subject to Sprint Nextel's pending appeal in the U.S. Court of Appeals for the District of Columbia Circuit of both the Third Memorandum Opinion and Order and the September 12, 2007 Public Notice



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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 BearingPoint, Inc., 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 laws.