



PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES LONG TERM DE FACTO TRANSFER SPECTRUM LEASE AGREEMENTS FILED BY CONDITIONAL WAIVER RECIPIENTS TO ESTABLISH 700 MHZ INTEROPERABLE PUBLIC SAFETY WIRELESS BROADBAND NETWORKS

PS Docket No. 06-229

On May 12, 2010, the Commission released an order (*Waiver Order*) granting conditional waivers to twenty-one public safety entities (Waiver Recipients) seeking early deployment of statewide or local public safety broadband networks in the 700 MHz public safety broadband spectrum (763-768 MHz and 793-798 MHz).¹ The *Waiver Order* requires the Waiver Recipients to submit additional information to the Public Safety and Homeland Security Bureau (Bureau) and the newly-established Emergency Response Interoperability Center prior to receiving full authority to construct and operate 700 MHz public safety networks.² Among other requirements, the *Waiver Order* requires, as a condition of waiver relief, each waiver recipient to enter into a long term *de facto* spectrum transfer lease with the Public Safety Spectrum Trust (PSST) within 60 days of approval of the information collection requirements by the Office of Management and Budget under the Paperwork Reduction Act.³ The *Waiver Order* requires the long term *de facto* transfer spectrum lease to be submitted to the Bureau for review and approval on delegated authority.⁴ The *Waiver Order* noted that the leases should be approved expeditiously, so long as they adhered to the terms of the Standard Lease appended to the *Waiver Order*.⁵

Pursuant to the *Waiver Order*, twenty Waiver Recipients submitted long term *de facto* transfer spectrum lease agreements to the Bureau for approval.⁶ We have reviewed the lease agreements and determine that they conform to the Standard Lease provided by the Commission. By this Public Notice, the Bureau hereby approves the long term *de facto* transfer spectrum lease transfer lease agreements filed by the Waiver Recipients listed in the Attachment.

¹ See Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, 25 FCC Rcd 5145 (2010) (*Waiver Order*).

² See *id.*, at 25 FCC Rcd at 5159, 5163-66, ¶¶ 42, 55, 61, 64.

³ See *id.*, at 5152-5155 ¶¶ 20, 27.

⁴ See *id.*, at 5152-5155 ¶ 24.

⁵ *Id.*

⁶ The State of Alabama did not enter into a long term *de facto* transfer spectrum lease with the PSST, nor did it submit the same to the Bureau within the *Waiver Order*'s specified timeframe. Accordingly, Alabama has failed to meet the Commission's conditions and has no authority to proceed under the *Waiver Order*.

Copies of these leases may be viewed at through the Universal Licensing System at <http://wireless.fcc.gov/uls>. Agreements are located under the ADMIN tab of the PSST's call sign, WQHW226.

For additional information or assistance on how to view the lease agreements, you may visit the Web at <http://esupport.fcc.gov>. You may also call the FCC Support Center at (877) 480-3201 (TTY) 717-338-2824 and select Option #2. Assistance from the FCC Support Center is available between the hours of 8 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

For further information about this Public Notice, please contact Zenji Nakazawa, Deputy Division Chief, Policy Division, Public Safety and Homeland Security Bureau, at (202) 418-7949.

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Appendix

Adams County Communications Center, Inc.
San Francisco Bay Area Urban Area Region
City of Boston, Massachusetts
City of Charlotte, North Carolina
City of Chesapeake, VA
District of Columbia
FoxComm, a consortium of the Counties of Calumet, Outagamie, and Winnebago, Wisconsin
State of Hawaii
Iowa Statewide Interoperable Communications System Board
County of Los Angeles
City of Mesa, Arizona, as administrative manager of the TOPAZ Regional Wireless Cooperative
Mississippi Wireless Communications Commission
State of New Jersey
State of New Mexico
City of New York
State of New York
State of Oregon
City of Pembroke Pines, Florida
City of San Antonio, Texas, on behalf of the San Antonio Urban Area Security Initiative Region
City of Seattle, Washington