**DA 13-2416**

**Released: December 18, 2013**

**WIRELESS TELECOMMUNICATIONS BUREAU UPDATES 700 MHZ LICENSE RECORDS PURSUANT TO INTEROPERABILITY REPORT AND ORDER**

By this *Public Notice*, the Wireless Telecommunications Bureau (Bureau) confirms that the Universal Licensing System (ULS) has been updated to reflect relevant construction deadlines and license terms for Lower 700 MHz band A, B, and E Block licensees pursuant to the Commission’s actions in the *Interoperability Report and Order.*[[1]](#footnote-1) In the *Interoperability Report and Order*,the Commission extended or waived the interim construction deadline for Lower 700 MHz band A Block licensees; extended the interim construction deadline for Lower 700 MHz band B Block licensees; and extended the interim construction deadline, final construction deadline and license term for Lower 700 MHz band E Block licensees.[[2]](#footnote-2) We encourage licensees to carefully review ULS records regarding their licenses, including construction deadlines, license terms and comments.[[3]](#footnote-3)

We recognize that some Lower 700 MHz band licensees have already filed notifications of construction indicating compliance with the interim construction benchmark deadline and/or the final construction benchmark deadline previously established by the Commission’s rules, and the Bureau will perform a substantive review of these pending notifications. If the Bureau finds that a licensee meets the relevant benchmark, the Bureau will accept the notification; otherwise the notification will not be accepted. Where a notification is not accepted, licensees may refile demonstrating compliance with the relevant construction benchmark(s) consistent with the extended deadlines established in the *Interoperability Report and Order* and Commission rule 1.946(d).[[4]](#footnote-4)

Some Lower 700 MHz band licensees have filed notifications of construction indicating that while the interim construction benchmark was not met, they have nonetheless undertaken “meaningful efforts” to put their spectrum to use. These filings were made consistent with the Bureau’s 2011 reminder *Public Notice* providing guidance on how the Bureau would implement its discretion in applying penalties for 700 MHz licensees failing to meet the interim construction benchmark.[[5]](#footnote-5) However, as the Commission has extended or waived the interim deadline for Lower 700 MHz licensees through the *Interoperability Report and Order*, the Bureau has dismissed as not ripe for review all notifications asserting that “meaningful efforts” have been undertaken to put spectrum to use.

For information purposes, this *Public Notice* also provides a list of Lower 700 MHz Band A Block licensees subject to a waiver of the interim construction benchmark deadline based on proximity to incumbent Channel 51 operations.[[6]](#footnote-6) The complete list can be found in Appendix A.

For further information, contact Ms. Becky Schwartz of the Mobility Division, Wireless Telecommunications Bureau at (202) 418-7178, or via e-mail at Becky.Schwartz@fcc.gov.

By the Chief, Mobility Division, Wireless Telecommunications Bureau.

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**APPENDIX A**

**LOWER 700 MHz A BLOCK LICENSEES SUBJECT TO WAIVER OF INTERIM CONSTRUCTION BENCHMARK DEADLINE**

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| **Licensee Name** | **Call Sign** | **Market** | **Market Description** |
| AB License Co LLC | WQIZ545 | BEA158 | Phoenix-Mesa, AZ-NM |
| Actel, LLC | WQIZ456 | BEA036 | Dothan, AL-FL-GA |
| Actel, LLC | WQIZ467 | BEA095 | Jonesboro, AR-MO |
| Big Wave Ventures LLC | WQQI315 | BEA052 | Wheeling, WV-OH |
| Cavalier Wireless, LLC | WQIZ389 | BEA006 | Syracuse, NY-PA |
| Cavalier Wireless, LLC | WQIZ394 | BEA018 | Greensboro-Winston-Salem-High |
| Cavalier Wireless, LLC | WQIZ396 | BEA023 | Charlotte-Gastonia-Rock Hill, |
| Cavalier Wireless, LLC | WQIZ397 | BEA024 | Columbia, SC |
| Cavalier Wireless, LLC | WQIZ398 | BEA027 | Augusta-Aiken, GA-SC |
| Cavalier Wireless, LLC | WQIZ399 | BEA035 | Tallahassee, FL-GA |
| Cavalier Wireless, LLC | WQIZ400 | BEA037 | Albany, GA |
| Cavalier Wireless, LLC | WQIZ403 | BEA047 | Lexington, KY-TN-VA-WV |
| Cavalier Wireless, LLC | WQIZ404 | BEA056 | Toledo, OH |
| Cavalier Wireless, LLC | WQIZ405 | BEA070 | Louisville, KY-IN |
| Cellco Partnership | WQJQ696 | BEA010 | New York-No. New Jer.-Long Island |
| Cellco Partnership | WQJQ699 | BEA030 | Orlando, FL |
| Cellco Partnership | WQJQ702 | BEA040 | Atlanta, GA-AL-NC |
| Cellco Partnership | WQJQ703 | BEA049 | Cincinnati-Hamilton, OH-KY-IN |
| Cellco Partnership | WQJQ705 | BEA057 | Detroit-Ann Arbor-Flint, MI |
| Cellco Partnership | WQJQ706 | BEA062 | Grand Rapids-Muskegon-Holland, |
| Cellco Partnership | WQJQ708 | BEA067 | Indianapolis, IN-IL |
| Cellco Partnership | WQJQ709 | BEA099 | Kansas City, MO-KS |
| Cellco Partnership | WQJQ713 | BEA130 | Austin-San Marcos, TX |
| Cellco Partnership | WQJQ715 | BEA134 | San Antonio, TX |
| Cellco Partnership | WQJQ716 | BEA141 | Denver-Boulder-Greeley, CO-KS- |
| Cellco Partnership | WQJQ717 | BEA160 | Los Angeles-Riverside-Orange C |
| Cellco Partnership | WQJQ719 | BEA163 | San Francisco-Oakland-San Jose |
| Cellco Partnership | WQJQ720 | BEA164 | Sacramento-Yolo, CA |
| Cellular South Licenses, LLC | WQIZ424 | BEA043 | Chattanooga, TN-GA |
| Cellular South Licenses, LLC | WQIZ425 | BEA044 | Knoxville, TN |
| Cellular South Licenses, LLC | WQIZ426 | BEA045 | Johnson City-Kingsport-Bristol |
| Cellular South Licenses, LLC | WQIZ428 | BEA073 | Memphis, TN-AR-MS-KY |
| Cincinnati Bell Wireless LLC | WQIZ531 | BEA050 | Dayton-Springfield, OH |
| Continuum 700 LLC | WQLA792 | BEA152 | Salt Lake City-Ogden, UT-ID |
| Cox TMI Wireless, L.L.C. | WQIZ535 | BEA038 | Macon, GA |
| Cox TMI Wireless, L.L.C. | WQIZ536 | BEA081 | Pensacola, FL |
| Cricket License Company, LLC | WQJQ707 | BEA064 | Chicago-Gary-Kenosha, IL-IN-WI |
| King Street Wireless, LP | WQLE663 | BEA065 | Elkhart-Goshen, IN-MI |
| King Street Wireless, LP | WQLE664 | BEA066 | Fort Wayne, IN |
| McBride Spectrum Partners, LLC | WQIZ576 | BEA053 | Pittsburgh, PA-WV |
| MetroPCS 700 MHz, LLC | WQIZ578 | BEA003 | Boston-Worcester-Lawrence-Lowe |
| Miller, David | WQIZ583 | BEA157 | El Paso, TX-NM |
| Puerto Rico Telephone Company, Inc. | WQNI292 | BEA174 | Puerto Rico & Virgin Isl. |
| USCOC NEBRASKA/KANSAS, LLC | WQIZ540 | BEA118 | Omaha, NE-IA-MO |
| USCOC OF GREATER IOWA, LLC | WQJQ679 | BEA103 | Cedar Rapids, IA |
| USCOC OF GREATER IOWA, LLC | WQLK631 | BEA103 | Cedar Rapids, IA |
| USCOC OF GREATER IOWA, LLC | WQNB985 | BEA103 | Cedar Rapids, IA |
| USCOC OF GREATER IOWA, LLC | WQIZ471 | BEA119 | Lincoln, NE |
| USCOC OF GREATER OKLAHOMA, LLC | WQJQ711 | BEA125 | Oklahoma City, OK |
| Vulcan Wireless LLC | WQIZ638 | BEA167 | Portland-Salem, OR-WA |

1. In the Matter of Promoting Interoperability in the 700 MHz Commercial Spectrum, *Report and Order and Order of Proposed Modification,* 2013 WL 5817601 (Oct. 2013) (*Interoperability Report and Order)*. [↑](#footnote-ref-1)
2. *See id.* at 2013 WL 5817601, ¶¶ 56-61*.* [↑](#footnote-ref-2)
3. Comments to individual licenses can be found by accessing ULS License Search under the “Admin” tab. [↑](#footnote-ref-3)
4. *Id.;* 47 C.F.R. § 1.946(d) (requiring licensees to file a notification of construction within fifteen days of the expiration of the construction period). [↑](#footnote-ref-4)
5. 700 MHz Construction and Reporting Requirements, *Public Notice*, 26 FCC Rcd 16442 (WTB 2011). The Bureau indicated that: 1) it would use its discretion to implement a penalty of reducing the size of a licensed area only where Bureau staff determined that a licensee had failed to undertake meaningful efforts to put its spectrum to use; 2) licensees were required to notify the Commission whether or not they had met the interim construction benchmark; and 3) licensees failing the interim benchmark could include information detailing meaningful efforts to put spectrum to use. *Id*., 26 FCC Rcd at 16444-45. [↑](#footnote-ref-5)
6. *Interoperability Report and Order,* 2013 WL 5817601, ¶ 66; 47 C.F.R. § 27.14(g) (requiring A Block licensees to provide signal coverage and offer service over at least 35 percent of their license area within four years of the initial license grant, with a failure to do so resulting in a two-year reduction of the license term). [↑](#footnote-ref-6)