



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

DA 02-3372
Released: December 5, 2002

WIRELESS TELECOMMUNICATIONS BUREAU CLARIFIES PUBLIC NOTICE RELATING TO VERIFICATION OF ITFS, MDS, AND MMDS LICENSE STATUS AND PENDING APPLICATIONS

On October 18, 2002, the Wireless Telecommunications Bureau (WTB) issued a public notice requiring all Instructional Television Fixed Service (ITFS), Multipoint Distribution Service (MDS), and Multichannel Multipoint Distribution Service (MMDS) (collectively, the Services) licensees and applicants to review licensing information and associated technical data.¹ Licensees and applicants are required to verify the available information concerning their licenses and applications, make any necessary corrections concerning that data, and under certain circumstances, submit corrections or responses to that data by December 17, 2002.² By this public notice, WTB clarifies two issues relating to the *BLS License Inventory Public Notice*.

First, with respect to licenses in the Services, if a licensee believes that all information pertaining to a license (including both the license tables and the additional technical information available at <http://wireless.fcc.gov/services/itfs&mds/licensing/inventory.html>) is accurate, the licensee is not required to submit a response with respect to that license. With respect to pending applications filed prior to March 25, 2002, however, a response is required even if all the information relating to that pending application is correct. Specifically, the applicant must: 1) affirm, in writing, within sixty days of the release of this public notice that continued processing of the application is requested by contacting the Commission at the addresses listed below, and 2) submit a copy of the application with the written affirmation request.

If the information requested is being sent via **United States Postal Service**, licensees and applicants must use the following address:

Federal Communications Commission
MDS/ITFS Database Corrections
1270 Fairfield Road

¹ Wireless Telecommunications Bureau Seeks to Verify ITFS, MDS, AND MMDS License Status and Pending Applications, *Public Notice*, DA 02-2751 (WTB rel. Oct. 18, 2002) (*BLS License Inventory Public Notice*).

² In an order being released concurrently with this *Public Notice*, WTB is extending the timeframe for responding to the *BLS License Inventory Public Notice* to January 21, 2003. See Wireless Telecommunications Bureau Seeks to Verify ITFS, MDS, and MMDS License Status And Pending Applications, *Memorandum Opinion and Order*, DA 02-3371 (rel. Dec. 5, 2002).

Gettysburg, PA 17325

Correspondence sent by **overnight mail couriers (e.g., Federal Express, United Parcel Service, Airborne), hand-delivery or messenger** must be addressed to:

Federal Communications Commission
MDS/ITFS Database Corrections
1120 Fairfield Road
Gettysburg, PA 17325

Second, ITFS licensees and applicants are not required to verify data relating to receive sites. We note that ITFS licensees are currently prohibited from registering new receive sites.³ Moreover, while receive sites registered prior to September 17, 1998 are still entitled to interference protection, most such receive sites receive protection because they are located within the thirty-five mile protected service area of the ITFS station.⁴ Under those circumstances, and given the fact that many ITFS stations have a large number of registered receive sites, we conclude that it would be unduly burdensome to require ITFS licensees to verify data relating to receive sites at this time. We encourage ITFS licensees with grandfathered receive sites outside the thirty-five mile protected service area to review the data relating to receive sites and to submit corrections if the data does not accurately reflect the receive site as registered with the Commission on September 17, 1998. We nonetheless note that the prohibition on registering new ITFS receive sites remains in effect.

Contact Information

Licensees and applicants should visit <http://wireless.fcc.gov/services/itfs&mds/licensing/inventory.html> in order to review the tables. For all questions regarding technical aspects of public access to BLS data, contact the **FCC Technical Support Hotline**: Call 202-414-1250 (TTY 202-414-1255) or e-mail to ulscomm@fcc.gov. The hotline is available Monday through Friday 8 a.m. to 6 p.m. Eastern Time. All calls to the hotline are recorded.

For all questions regarding legal matters relating to this Public Notice, contact John J. Schauble, Chief, Policy and Rules Branch, Public Safety and Private Wireless Division, at (202) 418-0680.

For all questions regarding data corrections, and how to file those corrections, contact the Licensing Support Hotline at 1-888-225-5322 and select option 2.

By the Acting Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau

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³ See Amendment of Parts 1, 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Fixed Two-Way Transmissions, MM Docket No. 97-217, *Report and Order on Reconsideration*, 14 FCC Rcd 12764, 12774 ¶ 21 (1999).

⁴ See 47 C.F.R. §§ 21.902(d), 74.910(d).

