



Keller and Heckman LLP Telecom Business Alert

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Proposed Service Rules for AWS Spectrum in the 1.9 and 2.1 GHz Bands

On June 20, the FCC released a Further Notice of Proposed Rulemaking seeking comment on proposed service rules for Advanced Wireless Service spectrum in the 1.9 and 2.1 GHz bands. The proposals include (1) combining the 2155-2175 and 2175-2180 MHz bands to create a 25 megahertz block of spectrum with a single nationwide license, and (2) adopting various application, licensing, operating and technical rules for the 1915-1920 MHz and 1995-2000 MHz bands. Comments are due by July 9, and Reply Comments by July 16. A copy of the FNPRM is available at <http://www.fcc.gov/>.

FCC Extends Comment Deadlines in 2.5 GHz BRS Proceeding

As previously reported (See [Vol. V, Issue 12](#)), the FCC adopted an Order earlier this year amending its rules governing the licensing of the Broadband Radio Service (BRS) and the Educational Broadband Service (EBS) in the 2495-2690 MHz (2.5 GHz) band. Among other things, at the request of our client the Telecommunications Committee of the American Petroleum Institute, the FCC re-established BRS service areas in the Gulf of Mexico to support oil and gas operations. At the same time, the FCC sought further comment on whether and how to license the 2.5 GHz EBS in the Gulf. To accommodate the summer schedules of educational institutions, the FCC recently extended the deadline for filing Comments to September 22.

FCC Extends 800 MHz Rebanding Negotiation Periods

Last week, the FCC's Public Safety and Homeland Security Bureau extended until October 1, 2008, the mandatory negotiation periods for Wave 4 National Public Safety Planning Advisory Committee (NPSPAC) (Stage 2) and non-NPSPAC (Stage 1) licensees in the U.S.-Mexico border region. The beginning of the mediation period was postponed until October 2, 2008. The Bureau also extended the filing freeze on new applications in the U.S.-Mexico border region until November 12, 2008, except for administrative updates, assignments/transfers, and renewal-only applications.

Pole Attachment Ex Parte Meetings

Allegheny Power, Baltimore Gas and Electric, Dayton Power and Light, FirstEnergy, Kansas City Power and Light, National Grid, and NSTAR (the "*Coalition of Concerned Utilities*") were represented by Keller and Heckman LLP last week during ex parte meetings with advisors for four of the five FCC Commissioners in connection with the Commission's pending pole attachment rulemaking proceeding. The *Coalition* pressed for more reasonable pole attachment rates and sanctioning authority to combat unauthorized attachments and safety violations. For additional information, please contact Jack Richards (richards@khlaw.com; 202-434-4210) or Tom Magee (magee@khlaw.com; 202-434-4128).

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