



PUBLIC NOTICE

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THE WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES FCC FORM 603-T IS AVAILABLE AND PROVIDES GUIDANCE REGARDING THE INTERIM PROCESS FOR FILING SPECTRUM LEASING NOTIFICATIONS AND APPLICATIONS

The Wireless Telecommunications Bureau (Bureau) announces that FCC Form 603-T, FCC Wireless Telecommunications Bureau Application or Notification for Spectrum Leasing Agreement (Form 603-T), is now available for use to file spectrum leasing notifications and applications.

In order to submit Form 603-T, the Bureau provides guidance below to interested parties with regard to the interim process for filing spectrum leasing notifications and applications. The following issues are discussed below:

- ◆ Why there is an interim process
- ◆ Contents of Form 603-T
- ◆ How to obtain Form 603-T
- ◆ How to submit Form 603-T
- ◆ How to submit other types of filings related to spectrum leasing
- ◆ How to search for notifications and applications submitted on Form 603-T
- ◆ Other issues

Why there is an interim process

On October 6, 2003, the Commission released a Report and Order and Further Notice of Proposed Rulemaking that, among other things, adopted rules and policies to allow wireless licensees and other parties to enter into spectrum leasing arrangements.¹ In order to fully implement all aspects of the *Secondary Markets Report and Order*, the Commission must receive approval from the Office of Management and Budget (OMB) for the revised FCC Form 603 (Form 603) required under the newly adopted rules and must implement extensive changes to its Universal Licensing System (ULS). To permit parties to submit the necessary notifications (for spectrum manager leasing) and applications (for long-term and short-term *de facto* transfer leasing) under the rules effective on February 2, 2004, Bureau

¹ In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 03-113 (rel. Oct. 6, 2003) (*Secondary Markets Report and Order*); *Erratum*, DA 03-3780 (rel. Nov. 24, 2003).

staff have developed Form 603-T to be used on an interim basis for the filing of the required spectrum leasing notifications and applications.

Contents of Form 603-T

Form 603-T consists of a Main Form and seven Schedules. Each filing must be either a spectrum manager lease notification or a *de facto* transfer lease application, but not both. This information is provided on the Main Form. For example, if a licensee proposes to enter into a spectrum manager lease with lessee A and also enter into a *de facto* transfer lease with lessee A, two separate filings must be submitted, one for the spectrum manager lease and one for the *de facto* transfer lease.

Once the type of filing is indicated, one of the following five filing purposes can be selected: 1) New Lease; 2) New Sublease; 3) Revision of an Existing Lease/Sublease; 4) Assignment of a Lease/Sublease; and 5) Transfer of Control of the Lessee/Sublessee. In addition to the Main Form, each submission needs to include at least one Schedule and in some instances more than one Schedule. This information is provided in the chart below.

Purpose of Filing	Always Required	Sometimes Required²
New Lease	Main Form and Schedule B	Schedule A, F, G
New Sublease	Main Form and Schedule D	Schedule A, F, G
Revision of Existing Lease/Sublease	Main Form and Schedule C	
Assignment of a Lease/Sublease	Main Form and Schedule E	Schedule A
Transfer of Control of the Lessee/Sublessee	Main Form and Schedule E	Schedule A

How to obtain Form 603-T

Form 603-T is available at <http://www.fcc.gov/formpage.html> and is formatted as an Adobe Portable Document Format (PDF). The Main Form and each Schedule are separate files. Once the form is downloaded, you may type responses directly into the form and upload the form as one or more attachments to ULS (more about this process below). The form is also available through the FCC's Fax Information System by dialing 202-418-0177.

How to submit Form 603-T

In order to allow parties to submit spectrum leasing notifications and applications, Bureau staff have revised ULS to accommodate a scaled-down version of electronic filing for Form 603-T.³ As discussed below, a limited amount of information will be provided electronically and Form 603-T will be uploaded

² It is the responsibility of the parties submitting the form to determine when certain Schedules are required.

³ All spectrum leasing notifications and applications filed on FCC Form 603-T must be submitted electronically via ULS unless the filing involves only spectrum covered by the services listed under section 1.9139(d) of the Commission's rules. In these instances, FCC Form 603-T may be submitted either electronically or manually.

as one or more attachments. During the interim process, all electronic filings must be submitted by the licensee.⁴

The following are the steps needed to submit Form 603-T electronically via ULS.

- 1) Access the ULS homepage at <http://wireless.fcc.gov/uls> and click on **Online Filing**.
- 2) Enter the FRN and Password of the licensee and click **Submit**.
- 3) Click on **My Applications**.
- 4) Click on **Spectrum Leasing**.
- 5) Indicate the type of filing.
- 6) Indicate the purpose of the filing.
- 7) Complete the licensee administrative information and click **Continue**. [This information must also be provided on the Main Form of Form 603-T that is uploaded to the filing].
- 8) Select one or more call signs to be added to the filing and click on the **Attachments** link. **Note:** At least one call sign must be selected for each filing. [This information must also be provided on the Main Form of Form 603-T that is uploaded to the filing].
- 9) Upload one or more attachments, as necessary. **Note:** Each portion of Form 603-T should be uploaded as a separate attachment. For example, if the filing includes the Main Form, Schedule A, and Schedule B, three separate attachments should be submitted, one for each section of the form.
- 10) Once all attachments are uploaded, click **Return to Application**.
- 11) Click **Submit Application**.

Once the filing has been submitted, a confirmation page will be displayed with the ULS file number that is associated with the filing. In addition, if application fees are required, the amount due will be listed on the confirmation page along with a link to the FCC Form 159, Remittance Advice.

Note: An electronic signature will be accepted for filings submitted on Form 603-T and uploaded to ULS as outlined above.⁵

How to submit other types of filings

Amendments to Form 603-T: Initially, Amendments to Form 603-T cannot be submitted electronically via ULS.⁶ Amendments will have to be submitted via e-mail to leasing@fcc.gov. To submit an amendment, type “Amendment” as well as the 10-digit File Number associated with the original filing in the subject line of the e-mail. Attach the portions of Form 603-T that have been amended from the previously submitted version. In addition, all appropriate parties, as indicated in the instructions to Form 603-T, must sign the amended version of the form. Bureau staff will reply to the e-mail acknowledging receipt of the submission and associate the amended version of the form with the previously submitted version.

⁴ In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, *Memorandum Opinion and Order*, DA 04-239 (rel. Jan. 30, 2004) (*Spectrum Leasing Interim Process Implementation Order*).

⁵ See 47 C.F.R. § 1.917(d).

⁶ *Id.*, ¶ 5. The Bureau will release a public notice once amendments to Form 603-T can be submitted electronically via ULS.

Administrative Updates: During the interim process, Administrative Updates (e.g., change of address, contact information, etc.) for the lessee/sublessee must be submitted via e-mail to leasing@fcc.gov.⁷ To submit an administrative update, type “Administrative Update” in the subject line of the e-mail and attach a document with the updates. The document should include the FRN of the lessee/sublessee and all Lease/Sublease Identifiers for which the updates apply. Bureau staff will reply to the e-mail acknowledging receipt of the submission and associate the update with the appropriate lease/sublease notification(s) or application(s).

Filings on FCC Form 601: During the interim process, any filing that must be submitted on FCC Form 601 (e.g., environmental assessments, international coordination, etc.) that pertains to the leased/subleased spectrum must be submitted by the licensee under its call sign.⁸

Note: The Bureau will not review any e-mails sent to leasing@fcc.gov that are not either an Amendment to Form 603-T or an Administrative Update relating to the lessee/sublessee.

How to search for notifications and applications submitted on Form 603-T

Once a notification or application has been submitted via ULS, a file number will be associated with the filing and the filing will be available via ULS Application Search on the same day.⁹

The following are the steps needed to search for filings submitted on Form 603-T.

- 1) Access the ULS homepage at <http://wireless.fcc.gov/uls> and click on **Applications**.
- 2) Select **General** and click **Continue**. Note: At this point, there are several criteria that can be entered to locate filings submitted on Form 603-T. A couple of basic criteria are provided below.
- 3a) Enter the 10 digit File Number associated with the filing and click **Search**. This search will locate only the filing associated with the File Number provided.
- 3b) Select **Purpose LL** and click **Search**. This search will locate all filings submitted on Form 603-T.

Other issues

Lease/Sublease Identifiers: Once the Bureau receives a spectrum manager notification that complies with all Commission rules and policies or once it approves a *de facto* transfer application, a unique Lease/Sublease Identifier will be assigned to each Lease/Sublease. This identifier will correlate to the call sign from which spectrum is leased/subleased.

Spectrum Leasing Arrangement letters: Once the Bureau receives a spectrum manager notification that complies with all Commission rules and policies or once it approves a *de facto* transfer application, a Spectrum Leasing Arrangement letter will be issued to all parties associated with the filing.

Public Notices: As indicated in the *Secondary Markets Report and Order*, certain spectrum leasing notifications and applications will be placed on public notice. To accommodate this, the weekly accepted for filing and action public notices relating to assignments and transfers of licenses have been revised to include spectrum leasing notifications and applications.

⁷ *Id.*

⁸ *Id.*, ¶ 4.

⁹ If a filing is submitted manually, it will be available via ULS Application Search once Bureau staff have entered the filing into ULS.

Special Conditions section for licenses: During the interim process, the Bureau will update the “Special Conditions” section in ULS for a license under which spectrum has been leased/subleased. The type of information will include the parties associated with the lease/sublease and the Lease/Sublease Identifier.

Possible future revisions to the interim process: As the Bureau becomes more familiar with the types of spectrum leasing arrangements that are submitted and the types of questions that arise, it will revise, as appropriate, its processes to ensure that it is implementing as fully as possible the Commission’s spectrum leasing policies and providing necessary guidance and certainty to parties interested in submitting spectrum leasing notifications and applications.

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If you have additional questions regarding this public notice, contact James Brown of the Bureau’s Mobility Division at 202-418-1546 or james.brown@fcc.gov.