



# PUBLIC NOTICE

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## INTERNATIONAL BUREAU REMINDS EARTH STATION OPERATORS IN 3.7-4.2 GHz BAND THAT APPLICATION FILING WINDOW CLOSES OCTOBER 17, 2018

*ENCOURAGES OPERATORS TO CONFIRM ACCURACY OF INFORMATION IN IBFS*

*GN Docket No. 18-122*

By this Public Notice, the International Bureau (Bureau) reminds operators with fixed-satellite service (FSS) earth stations in the 3.7-4.2 GHz band that were constructed and operational as of April 19, 2018 that the filing window to license or register such earth stations closes on **October 17, 2018**. Additionally, the Bureau encourages operators who were licensed or registered as of April 19, 2018, or had pending applications for license or registration as of April 19, 2018, to review their information on file in the International Bureau Filing System (IBFS) and to correct any inaccurate data if necessary.

### **Background**

On April 19, 2018, the International, Public Safety and Homeland Security, and Wireless Telecommunications Bureaus announced a temporary freeze on the filing of new or modification applications for FSS earth station licenses, FSS receive-only earth station registrations, and fixed microwave licenses in the 3.7-4.2 GHz frequency band.<sup>1</sup> The International Bureau also announced a 90-day filing window during which operators of existing, but unregistered or unlicensed, earth stations operating in the 3.7-4.2 GHz band could continue to file applications.<sup>2</sup> The Bureau extended this filing window for an additional 90 days until October 17, 2018 and announced additional filing options for earth stations with multiple antennas.<sup>3</sup>

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<sup>1</sup> *Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations and Fixed Microwave Stations in the 3.7-4.2 GHz Band; 90-Day Window to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band*, GN Docket Nos. 17-183, 18-122, Public Notice, DA 18-398, 2 (IB/PSHSB/WTB Apr. 19, 2018), 2018 WL 1898716 (*Earth Station Freeze Notice*).

<sup>2</sup> *Id.* at 3.

<sup>3</sup> *International Bureau Announces 90-Day Extension of Filing Window, to October 17, 2018, to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band; Filing Options for Operators with Multiple Earth Station Antennas*, GN Docket Nos. 17-183, 18-122, Public Notice, DA 18-639, 1 (IB June 21, 2018), 2018 WL 3090857 (*Filing Window Extension Notice*).

On July 13, 2018, the Commission released an *Order and Notice of Proposed Rulemaking (Order and NPRM)* which identifies several potential options for expanded flexible use of the 3.7-4.2 GHz band.<sup>4</sup> The Order directs operators of FSS earth stations in the 3.7-4.2 GHz band who filed applications for license or registration as of April 19, 2018 to file certifications that the information on file in IBFS for their earth station remains accurate.<sup>5</sup> The Commission directed the Wireless Telecommunications Bureau, International Bureau, and Office of Engineering and Technology to release a public notice with instructions on how earth station operators will make such certifications.<sup>6</sup> Additionally, the NPRM proposes that FSS earth stations would only be considered “incumbent” for purposes of future protection from new terrestrial services in the 3.7-4.2 GHz band if they: (1) were operational as of April 19, 2018, (2) were licensed or registered (or had pending applications for license or registration) in IBFS as of October 17, 2018, and (3) have timely filed the certification that information on file in IBFS remains accurate.<sup>7</sup>

### **Application Filing Deadline Reminder**

Given the Commission’s proposal to provide protection only to those earth stations operating in the 3.7-4.2 GHz band that are licensed or registered in IBFS, or with pending applications for license or registration, we remind operators of earth stations that were constructed and operational as of April 19, 2018 to file applications, as described in the various public notices to date,<sup>8</sup> and that the window for filing such applications closes on **October 17, 2018**.<sup>9</sup>

To prepare for the upcoming certification process, particularly given the Commission’s proposal to protect only earth stations that file the required certification of data accuracy,<sup>10</sup> the Bureau encourages operators of FSS earth stations in the 3.7-4.2 GHz band that filed their applications as of April 19, 2018 to review their license or registration information on file in IBFS for accuracy and to correct or modify the information to the extent necessary.<sup>11</sup> Confirming the accuracy of this information now will ensure that earth station operators will be able to make the required certification when the forthcoming certification public notice is released. Specific details about filing the certification process will be provided in that public notice.

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<sup>4</sup> See *Expanding Flexible Use of the 3.7-4.2 GHz Band*, GN Docket Nos. 17-183, 18-122, Order and Notice of Proposed Rulemaking, FCC 18-91 (rel. July 13, 2018), 2018 WL 3435167 (*Order and NPRM*).

<sup>5</sup> *Id.* at paras. 18-19.

<sup>6</sup> *Id.* at para. 22.

<sup>7</sup> *Id.* at paras. 27-28.

<sup>8</sup> See *Earth Station Freeze Notice; Filing Window Extension Notice*. See also *3.7-4.2 GHz Freeze and Filing Window Q&A*, <https://docs.fcc.gov/public/attachments/DA-18-398A2.pdf>.

<sup>9</sup> We note that although the Public Notice includes an exception for modifications to correct the location or other required data in the IBFS file, more significant modifications, such as those to include additional antennas at an earth station site, must be filed before the October 17, 2018 deadline. *Earth Station Freeze Notice* at 3.

<sup>10</sup> Applicants who file for license or registration, or modifications to existing licenses or registrations, between April 19, 2018 and October 17, 2018 will not be required to make this certification. See *Order and NPRM*, 2018 WL 3435167 at para. 19.

<sup>11</sup> Licensees are required to maintain accurate information with the Commission by filing a pleading or modification application through MyIBFS requesting that the current authorization record files be updated. See Federal Communications Commission, MyIBFS, <http://licensing.fcc.gov/myibfs/>.

Action by the Chief, International Bureau.

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