

Questions on FCC Buildout Requirements and Efficient Use of Spectrum

Meeting with the Land Mobile Communications Council (LMCC) – July 23, 2013, 11am Eastern Time

Introduction

1. Could you briefly describe your experience with FCC's buildout requirements for spectrum licenses, particularly as it relates to industrial/business private land mobile licenses below 700 MHz?

FCC's enforcement of buildout requirements

2. In your opinion, how effective is FCC's enforcement of buildout requirements for spectrum licenses?
 - a. Overall, how clear is FCC's process for monitoring and enforcing buildout requirements?
 - b. Do you receive any input from your members on using FCC's Universal Licensing System (ULS) for submitting necessary applications (e.g., required notifications, requests for extensions, waivers) and supplemental information?
 - c. How timely is FCC's review and response to applications?
 - d. Overall, how consistent is FCC's process for monitoring and enforcing buildout requirements?
3. What is your opinion regarding FCC's use of self-certification by a licensee (i.e., requiring licensees to file a required notification) to demonstrate that buildout requirements have been met?
4. What is your opinion on FCC's granting of extensions and waivers for licenses with buildout requirements?
 - a. Is FCC guidance clear in describing the criteria for granting extensions or waivers?
 - b. Does FCC consistently follow its guidance in granting extensions or waivers?
5. What changes, if any, need to be made to FCC's enforcement of buildout requirements?

Effectiveness of buildout requirements

6. We'd like to get your opinion of the extent that buildout requirements meet goals stated for these requirements. Below we ask about goals that repeatedly occur across statute (for licenses granted through competitive bidding), FCC budget and performance documents, and FCC Reports and Orders from recent rulemakings.

Do you think that FCC's buildout requirements are effective or ineffective in...

- a. ... encouraging licensees to provide service in a timely manner?

| Very effective | Somewhat effective | Neither effective nor ineffective | Somewhat ineffective | Very ineffective | Don't know |
|----------------|--------------------|-----------------------------------|----------------------|------------------|------------|
| | | | | | |

- i. Please explain why you chose this option.

b. ...promoting the provision of innovative services throughout the license areas?

| Very effective | Somewhat effective | Neither effective nor ineffective | Somewhat ineffective | Very ineffective | Don't know |
|----------------|--------------------|-----------------------------------|----------------------|------------------|------------|
| | | | | | |

i. Please explain why you chose this option.

c. ...encouraging provision of services to rural areas?

| Very effective | Somewhat effective | Neither effective nor ineffective | Somewhat ineffective | Very ineffective | Don't know |
|----------------|--------------------|-----------------------------------|----------------------|------------------|------------|
| | | | | | |

i. Please explain why you chose this option.

d. ...preventing the warehousing of spectrum?

| Very effective | Somewhat effective | Neither effective nor ineffective | Somewhat ineffective | Very ineffective | Don't know |
|----------------|--------------------|-----------------------------------|----------------------|------------------|------------|
| | | | | | |

i. Please explain why you chose this option.

7. Overall, does FCC need to make any changes to its buildout requirements to make them more effective in meeting the goals listed above?
8. In your opinion, are there other goals that buildout requirements do or should promote beyond those listed above?
9. Are there other means to more effectively and efficiently meet the goals listed above?

Closing Questions

10. What is your overall opinion of having buildout requirements for spectrum licenses?
 - a. Do you support or oppose buildout requirements, or are you ambivalent about buildout requirements?
 - b. Do buildout requirements make more sense in certain areas of spectrum or certain types of licenses and less so in others?
 - c. Do buildout requirements have any unintended consequences, positive or negative?
11. Is there anyone else that you recommend we meet with to discuss FCC buildout requirements?