

Telecom Alert - 700 MHz Spectrum Relicensing Process; New Procedure for ASR Ownership Changes; CAF II Auction; Enforcement Advisory for Equipment Authorizations - Vol. XVI, Issue 7

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Relicensing Process for 700 MHz Spectrum in Unserved Areas

On February 12, the FCC's Wireless Telecommunications Bureau (WTB) issued a [Public Notice](#) outlining the process for relicensing unserved areas in the 700 MHz band. The Public Notice includes the keep-what-you-serve rules for failing licenses. The rules allow a licensee to keep the area currently served by their existing license(s). The FCC reclaims the unused portion. The Public Notice also provides coverage rules for licensees that acquire unserved areas through this reclamation and relicensing process.

New Procedure for Reporting Ownership Changes in Antenna Structure Registration System

Last week, the FCC issued a [Public Notice](#) implementing a new process to report changes in ownership of towers and other structures registered in its Antenna Structure Registration (ASR) System. The new process revises the agency's previous process and requires both the assignor (owner) and assignee (buyer) of a structure to coordinate with the filing of an application to update the ownership information. Previously, the FCC allowed the assignee to update the ownership information for a registered tower. This created opportunities for fraud that the Commission is addressing.

CAF Phase II Auction Winners Awaiting FCC Action

The partial government shutdown has delayed the FCC's action on the long-form applications

submitted last year by CAF II auction winners. We expect the Commission to begin to act on these applications as the 25 February 2019 due date for submitting Eligible Telecommunications Carrier (ETC) designations from state commissions and the applicant's letter certifying its ETC designation covers all areas included in its winning bids. The FCC will issue a public notice as it completes its review of a winning bidder's application as opposed to releasing a comprehensive public notice. Relatedly, on February 14, the FCC adopted a [Report and Order](#) setting rules for the transition from legacy Connect America Fund (CAF) support in certain price cap areas to new auction-based support for voice and broadband ([Vol. XVI, Issue 6](#)).

Enforcement Advisory for Equipment Authorizations

The FCC's Enforcement Bureau has issued an [Enforcement Advisory](#) regarding the marketing of devices subject to the Commission's Supplier's Declaration of Conformity (SDoC) procedure. The SDoC procedure, which replaced the Verification and Declaration of Conformity procedures, generally applies to devices that do not intentionally transmit an RF signal for communications purposes. Devices subject to the SDoC procedure include Part 15 unintentional radiators and Part 18 ISM devices. Such devices may only be marketed in the U.S. if they are properly authorized under the FCC's rules. The Enforcement Advisory states that anyone violating the SDoC rules may be subject to monetary penalties that could total more than \$150,000.

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