



# PUBLIC NOTICE

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DA-04-3492

October 29, 2004

## WIRELESS TELECOMMUNICATIONS BUREAU CONCURS WITH SEARCH COMMITTEE SELECTION OF A TRANSITION ADMINISTRATOR

### WT Docket No. 02-55

In July, 2004, the Federal Communications Commission (Commission) adopted a *Report and Order* in this docket which reconfigured the 800 MHz band to eliminate interference to public safety and other land mobile communication systems operating in the band.<sup>1</sup> As part of the *Report and Order*, the Commission directed that representatives of five major stakeholders in the 800 MHz band, *i.e.* Nextel Communications, Inc., The Association of Public Safety Communications Officials-International (APCO), The Industrial Telecommunications Association (ITA), Southern LINC; and the United Telecom Council (UTC) to select an independent party, the Transition Administrator (TA), to oversee the reconfiguration of the 800 MHz band.<sup>2</sup> Pursuant to the *Report and Order*, the five-member Search Committee was to have made a selection by September 20, 2004. However, at the request of the Search Committee, the Public Safety and Critical Infrastructure Division extended the selection date to October 12, 2004.<sup>3</sup> On October 12, 2004, the Search Committee sent a letter to the Chief of the Public Safety and Critical Infrastructure Division stating that it had selected a three-organization team to serve as the Transition Administrator: The team consists of BearingPoint, Squire-Sanders-Dempsey LLP, and Baseline Telecom, Inc. (Transition Administrator or Bearing Point Team).<sup>4</sup>

By this *Public Notice*, and as specified in the *Report and Order*,<sup>5</sup> we concur with the Search Committee's selection of the Transition Administrator Team. The Bearing Point Team point of contact is Brett Haan, BearingPoint, 1676 International Drive, McLean, VA 22102 or via email at [brett.haan@bearingpoint.com](mailto:brett.haan@bearingpoint.com).

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<sup>1</sup> See Improving Public Safety Communications in the 800 MHz Band, *Report and Order*, WT Docket No. 02-55, 19 FCC Rcd 14,969 (2004) (*Report and Order*).

<sup>2</sup> See *id.* ¶¶ 190-200.

<sup>3</sup> See Improving Public Safety Communications in the 800 MHz Band, *Order*, WT Docket No. 02-55, DA 04-2962 (rel Sept. 10, 2004).

<sup>4</sup> See Letter from Transition Administrator Search Committee to Michael J. Wilhelm, Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, dated Oct. 12, 2004. The Search Committee's web site: <http://www.tasc.utc.org> contains additional information concerning the Selection Committee's selection process.

<sup>5</sup> See *Report and Order* 19 FCC Rcd 14,969 ¶ 193.

We take this opportunity to make clear that the TA has the responsibility to maintain all documents submitted to it or generated by it in a manner that would allow the Commission to carry out its duties as specified in the *Report and Order*, including those relating to its review of the quarterly reports submitted by the TA and its resolution of matters referred to it for *de novo* review. We recognize that parties may have concerns about protecting proprietary information that they will be submitting to the Transition Administrator. We leave it to the parties to work with the Transition Administrator to develop procedures to accomplish this objective (*e.g.*, using non-disclosure agreements), and we expect that questions of the need for and scope of the confidential treatment of particular submissions of information will turn on the facts of each case and be resolved by agreement among the interested parties (including the Transition Administrator). We note, however, that once a relocation dispute is under consideration by the Commission, the agency is not limited by such agreement; rather, all questions of confidentiality, disclosure, and production of information are controlled by Commission and other applicable federal law.

Information on the 800 MHz reconfiguration process in general is available at <http://wireless.fcc.gov/publicsafety/800MHz/bandinterference.html>. For additional information on the Commission's 800 MHz band reconfiguration *Report and Order*, please contact Roberto Mussenden, Esq., Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, at (202) 418-0680, TTY (202) 418-7233, or via e-mail to [Roberto.Mussenden@fcc.gov](mailto:Roberto.Mussenden@fcc.gov).

Action by the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau.

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