

Information and Instructions

FCC Wireless Telecommunications Bureau
Application or Notification for Spectrum Leasing Arrangement

**NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT OF 1974 AND
THE PAPERWORK REDUCTION ACT OF 1995**

We have estimated that each response to this collection of information will take on average 5 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, DC 20554, Paperwork Reduction Project (3060-1058). We will also accept your comments via the Internet if you send them to Judith-B.Herman@fcc.gov. *Please do not send completed application forms to this address.*

You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection unless it displays a currently valid OMB control number with this notice. This collection has been assigned OMB control number 3060-1058.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether the Application/Notification is in the public interest. If we believe there may be a violation or potential violation of a statute, FCC regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding.

As of December 3, 2001, all parties and entities doing business with the Commission must obtain a unique identifying number called the FCC Registration Number (FRN) and supply it when doing business with the Commission. Failure to provide the FRN may delay the processing of the application. This requirement is to facilitate compliance with the Debt Collection Improvement Act of 1996 (DCIA). The FRN can be obtained electronically through the FCC webpage at <http://www.fcc.gov> or by manually submitting FCC Form 160. FCC Form 160 is available from the FCC's web site at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (3676), or from Fax Information System by dialing (202) 418-0177.

This notice is required by the Privacy Act of 1974, Public Law 93-579, December 31, 1974, 5 U.S.C. Section 552a(e)(3), and the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.



**FCC Wireless Telecommunications Bureau
Application or Notification for Spectrum Leasing Arrangement**

See 603T Main Form Instructions
for public burden estimate

Type and Purpose of Filing

Select one of the following from questions 1-3:

1) Is this filing for a Spectrum Manager Lease?

2) Is this filing for a *De Facto* Transfer Lease?

3) Is this filing for an Amendment or Withdrawal of a pending Application/Notification?

Select one of the following from questions 4-8:

4) Is this filing for a new Lease?

5) Is this filing for a new Sublease?

6) Is this filing for a revision of an existing Lease/Sublease?

7) Is this filing for an assignment of a Lease/Sublease?

8) Is this filing for a transfer of control of the Lessee/Sublessee?

General Information

9) If this request is for an Amendment or Withdrawal, enter the File Number of the pending Application/Notification currently on file with the FCC.

File Number: _____

10) If this Application/Notification is part of a series of Applications/Notifications involving the Lease or Sublease of other spectrum held by the Licensee, affiliates of the Licensee (e.g., parents, subsidiaries, or commonly-controlled entities), or third parties that are not included on this form and for which Commission approval or notification is required; enter the File Number of the lead Application/Notification.

File Number: _____

If this Application/Notification is part of a series of Applications/Notifications, provide a list of the Applications/Notifications in an exhibit to the lead Application/Notification.

11) Are attachments being filed with this Application/Notification?

Yes No

Fees and Waivers

12a) Is the applicant exempt from FCC application fees?	() <u>Yes</u> <u>No</u>
12b) Is a waiver/deferral of the FCC application fees being requested? If 'Y', attach to this filing a date-stamped copy of the request for waiver/deferral.	() <u>Yes</u> <u>No</u>
13a) Does this filing include a request for waiver of the Commission's rules (other than requests for fee waivers?) If 'Y', attach an exhibit specifying the rule section(s) for which a waiver is being requested and including a justification for the waiver request.	() <u>Yes</u> <u>No</u>
13b) If the answer to 13a is 'Y', enter the number of rule sections involved: _____	

Bidding Credits, Installment Payment Plans, or Closed Bidding

14a) Does this Application/Notification involve the Lease/Sublease of spectrum associated with any licenses that were originally awarded with bidding credits within the last five years? (If response is 'Y' complete the applicable questions on Schedule A.)	() <u>Yes</u> <u>No</u>
14b) Does this Application/Notification involve the Lease/Sublease of spectrum associated with any licenses that were originally awarded subject to the Commission's installment payment program? (If response is 'Y', complete the applicable questions on Schedule A.)	() <u>Yes</u> <u>No</u>
14c) Does this Application/Notification involve the Lease/Sublease of spectrum associated with any licenses that were granted pursuant to closed bidding within the last five years? (If response is 'Y', complete the applicable questions on Schedule A.)	() <u>Yes</u> <u>No</u>

Ownership Disclosure Information

<p>15) FCC Form 602, Ownership Disclosure Form (Select One)</p> <p>() Lessee/Sublessee has a current FCC Form 602 on file with the Commission. FRN under which the FCC Form 602 was filed: _____ Name under which the FCC Form 602 was filed: _____ Date the FCC Form 602 was filed: ____/____/____ (MM/DD/YYYY)</p> <p>() Lessee/Sublessee is filing a new or updated FCC Form 602 concurrently with this Application/Notification. FRN under which the FCC Form 602 will be filed: _____ Name under which the FCC Form 602 will be filed: _____</p> <p>() Lessee/Sublessee is not required to file a FCC Form 602.</p>
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Licensee Information

16) Licensee is a(n):				
<input type="checkbox"/> Individual Corporation	<input type="checkbox"/> Unincorporated Association Limited Liability Corporation	<input type="checkbox"/> Trust Partnership	<input type="checkbox"/> Government Entity Consortium	<input type="checkbox"/> Joint Venture
17) FCC Registration Number (FRN):				
18) First Name (if individual):	MI:	Last Name:	Suffix:	
19) Entity Name (if not an individual):				
20) Attention To:				
21) P.O. Box:	And /Or	22) Street Address:		
23) City:	24) State:	25) Zip Code:		
26) Telephone Number: ()	27) FAX Number: ()			
28) E-Mail Address:				

29) Race, Ethnicity, and Gender of Licensee (Optional):

Race:	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian	<input type="checkbox"/> Black or African American
	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> White	
Ethnicity:	<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> Not Hispanic or Latin	
Gender:	<input type="checkbox"/> Female	<input type="checkbox"/> Male	

Name of Licensee Contact Representative (if other than Licensee)

30) First Name:	MI:	Last Name:	Suffix:	
31) Company Name:				
32) P.O. Box:	And /Or	33) Street Address:		
34) City:	35) State:	36) Zip Code:		
37) Telephone Number: ()	38) FAX Number: ()			
39) E-Mail Address:				

Lessee Information

40) Lessee is a(n): () <u>I</u> ndividual <u>C</u> orporation <u>U</u> nincorporated Association <u>L</u> imited Liability Corporation <u>T</u> rust <u>P</u> artnership <u>G</u> overnment Entity <u>C</u> onsortium <u>J</u> oint Venture					
41) FCC Registration Number (FRN):					
42) First Name (if individual):		MI:	Last Name:		Suffix:
43) Entity Name (if other than individual):					
44) Attention To:					
45) P.O. Box:		And /Or	46) Street Address:		
47) City:			48) State:	49) Zip Code:	
50) Telephone Number: ()			51) FAX Number: ()		
52) E-Mail Address:					

Name of Lessee Contact Representative (if other than Lessee)

53) First Name:		MI:	Last Name:		Suffix:
54) Company Name:					
55) P.O. Box:		And /Or	56) Street Address:		
57) City:			58) State:	59) Zip Code:	
60) Telephone Number: ()			61) FAX Number: ()		
62) E-Mail Address:					

Sublessee Information

63) Sublessee is a(n): () <u>I</u> ndividual Corporation				<u>U</u> nincorporated Association <u>L</u> imited Liability Corporation	<u>T</u> rust <u>P</u> artnership	<u>G</u> overnment Entity <u>C</u> onsortium	<u>J</u> oint Venture
64) FCC Registration Number (FRN):							
65) First Name (if individual):				MI:	Last Name:		Suffix:
66) Entity Name (if other than individual):							
67) Attention To:							
68) P.O. Box:			And /Or	69) Street Address:			
70) City:				71) State:		72) Zip Code:	
73) Telephone Number: ()				74) FAX Number: ()			
75) E-Mail Address:							

Name of Sublessee Contact Representative (if other than Sublessee)

76) First Name:				MI:	Last Name:		Suffix:
77) Company Name:							
78) P.O. Box:			And /Or	79) Street Address:			
80) City:				81) State:		82) Zip Code:	
83) Telephone Number: ()				84) FAX Number: ()			
85) E-Mail Address:							

Transferor Information

86) Transferor is a(n): () <u>I</u> ndividual Corporation <u>U</u> nincorporated Association Limited Liability Corporation <u>T</u> rust Partnership <u>G</u> overnment Entity Consortium <u>J</u> oint Venture					
87) FCC Registration Number (FRN):					
88) First Name (if individual):		MI:	Last Name:		Suffix:
89) Entity Name (if other than individual):					
90) Attention To:					
91) P.O. Box:		And /Or	92) Street Address:		
93) City:			94) State:	95) Zip Code:	
96) Telephone Number: ()			97) FAX Number: ()		
98) E-Mail Address:					

Name of Transferor Contact Representative (if other than Transferor)

99) First Name:		MI:	Last Name:		Suffix:
100) Company Name:					
101) P.O. Box:		And /Or	102) Street Address:		
103) City:			104) State:	105) Zip Code:	
106) Telephone Number: ()			107) FAX Number: ()		
108) E-Mail Address:					

Transferee Information

109) Transferee is a(n): () <u>I</u> ndividual Corporation				<u>U</u> nincorporated Association <u>L</u> imited Liability Corporation	<u>T</u> rust <u>P</u> artnership	<u>G</u> overnment Entity <u>C</u> onsortium	<u>J</u> oint Venture
110) FCC Registration Number (FRN):							
111) First Name (if individual):				MI:	Last Name:		Suffix:
112) Entity Name (if other than individual):							
113) Attention To:							
114) P.O. Box:			And /Or	115) Street Address:			
116) City:				117) State:		118) Zip Code:	
119) Telephone Number: ()				120) FAX Number: ()			
121) E-Mail Address:							

Name of Transferee Contact Representative (if other than Transferee)

122) First Name:				MI:	Last Name:		Suffix:
123) Company Name:							
124) P.O. Box:			And /Or	125) Street Address:			
126) City:				127) State:		128) Zip Code:	
129) Telephone Number: ()				130) FAX Number: ()			
131) E-Mail Address:							

Alien Ownership Questions

- 132) Is the Lessee/Sublessee a foreign government or the representative of any foreign government? () Yes **No**
- 133) Is the Lessee/Sublessee an alien or the representative of an alien? () Yes **No**
- 134) Is the Lessee/Sublessee a corporation organized under the laws of a foreign government? () Yes **No**
- 135) Is the Lessee/Sublessee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? () Yes **No**
- 136) Is the Lessee/Sublessee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? () Yes **No**
- If 'Y', attach an exhibit explaining the nature and extent of alien or foreign ownership.
- 137) If the answer to 136 is 'Y', has the Lessee/Sublessee received a ruling(s) under Section 310(b)(4) of the Communications Act with respect to the same radio service(s) as the services(s) involved in this Application/Notification? () Yes **No**
- If 'Y', provide in an exhibit the citation(s) of the declaratory ruling(s) received by the Lessee/Sublessee (*i.e.*, DA or FCC Number, FCC Record citation when available, and release date).
- If 'N', attach to this filing a date-stamped copy of a request for a foreign ownership ruling pursuant to Section 310(b)(4) of the Communications Act.

Basic Qualification Questions

- 138) Has the Lessee/Sublessee/Transferee or any party to this Application/Notification had any FCC station authorization, license, Lease, Sublease, or construction permit revoked or had any Application/Notification for an initial modification or renewal of FCC station authorization, license, Lease, Sublease, or construction permit denied by the Commission? () Yes **No**
- 139) Has the Lessee/Sublessee/Transferee or any party to directly or indirectly controlling the Lessee/Sublessee/Transferee ever been convicted of a felony by any state or federal court? () Yes **No**
- If 'Y', attach an exhibit explaining the circumstances.
- 140) Has any court finally adjudged the Lessee/Sublessee/Transferee or any party directly or indirectly controlling the Lessee/Sublessee/Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? () Yes **No**
- If 'Y', attach an exhibit explaining the circumstances.
- 141) Is the Lessee/Sublessee/Transferee or any party directly or indirectly controlling the Lessee/Sublessee/Transferee currently a party in any pending matter referred to in the preceding two items? () Yes **No**
- If 'Y', attach an exhibit explaining the circumstances.

The following is to be completed in all Applications/Notifications relating to Leasing

Licensee Certification Statements

1) The Licensee agrees that the Lease/Sublease is not an assignment, sale, or transfer of the license itself.

2) The Licensee certifies that it will not consent to assignment of the Lease except to the extent such assignment complies with the Commission's rules and regulations.

The Licensee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith.

Type or Printed Name of Party Authorized to Sign:

142) First Name:	MI:	Last Name:	Suffix:
143) Title:			
Signature:		144) Date:	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

Lessee/Sublessee Certification Statements

1)	The Lessee/Sublessee agrees that the Lease/Sublease is not an assignment, sale, or transfer of the license itself.
2)	The Lessee/Sublessee acknowledges that it is required to comply with the Commission's rules and regulations and other applicable law at all times, and if the Lessee/Sublessee fails to so comply, the Lease/Sublease may be revoked, cancelled, or terminated by either the licensee or the Commission.
3)	The Lessee/Sublessee certifies that neither it nor any other party to the Application/Notification is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. (See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.)
4)	The Lessee/Sublessee hereby accepts Commission oversight and enforcement consistent with the license authorization. The Lessee/Sublessee acknowledges that it must cooperate fully with any investigation or inquiry conducted either by the Commission or the Licensee, allow the Commission or the licensee to conduct on-site inspections of transmission facilities, and suspend operations at the direction of the Commission or the Licensee and to the extent that such suspension of operation would be consistent with the applicable Commission policies.
5)	The Lessee/Sublessee acknowledges that in the event an authorization held by a licensee that has entered into a spectrum leasing arrangement is revoked, cancelled, terminated, or otherwise ceases to be in effect, the Lessee/Sublessee will have no continuing authority to use the leased spectrum and will be required to terminate its operations no later than the date on which the Licensee ceases to have any authority to operate under the license, unless otherwise authorized by the Commission.
6)	The Lessee/Sublessee agrees the Lease/Sublease shall not be assigned to any entity that is not eligible or qualified to enter into a spectrum leasing arrangement under the Commission's rules and regulations.
7)	The Lessee/Sublessee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by spectrum lease or otherwise.
8)	If the Lease/Sublease involves spectrum in the Cellular Radiotelephone Service in Rural Statistical Areas (RSAs), the Lessee/Sublessee certifies that it does not hold more than 5 percent ownership interest in the other cellular license(s) within the same RSA.
The Lessee/Sublessee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith.	

Lessee

* For a Lease Application/Notification, the Lessee must certify to statements 1-8.
 * For a Sublease Application/Notification, the Lessee must certify to statements 1, 6, and 8 only.

Type or Printed Name of Party Authorized to Sign:

145) First Name:	MI:	Last Name:	Suffix:
146) Title:			
Signature:		147) Date:	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

Sublessee

* For a Sublease Application/Notification, the Sublessee must certify to statements 1-8.

Type or Printed Name of Party Authorized to Sign:

148) First Name:	MI:	Last Name:	Suffix:
149) Title:			
Signature:		150) Date:	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

Transferor Certification Statements

1) The Transferor certifies either (1) that control of the Lessee/Sublessee will not be transferred until consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the Lease/Sublease is subject to streamlined notification procedures for *pro forma* transfers of control. See *Memorandum Opinion and Order*, 13 FCC Rcd. 6293 (1998).

The Transferor certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith.

Type or Printed Name of Party Authorized to Sign:

151) First Name:	MI:	Last Name:	Suffix:
152) Title:			
Signature:		153) Date:	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

Transferee Certification Statements

1) The Transferee certifies either (1) that control of the Lessee/Sublessee will not be transferred until consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the Lease/Sublease is subject to streamlined notification procedures for *pro forma* transfers of control. See *Memorandum Opinion and Order*, 13 FCC Rcd. 6293 (1998).

The Transferee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith.

Type or Printed Name of Party Authorized to Sign:

154) First Name:	MI:	Last Name:	Suffix:
155) Title:			
Signature:		156) Date:	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

