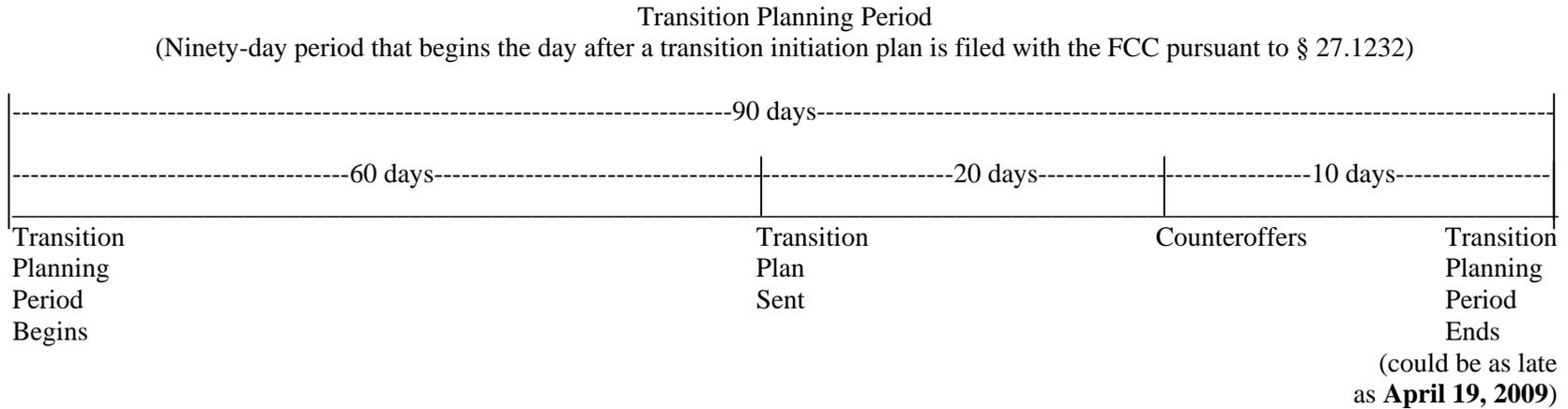
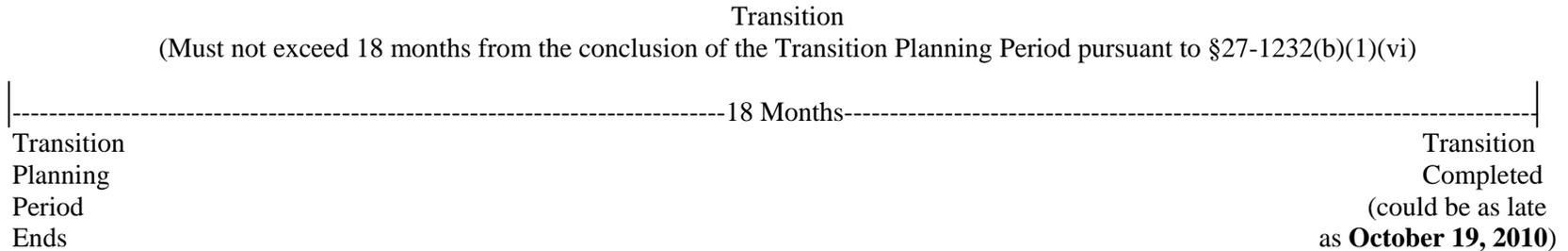


PROPONENT-DRIVEN TRANSITION

- **January 19, 2009** Latest date transition initiation plans are due to FCC.
- **April 19, 2009** Latest date at which transition planning period ends (assumes initiation plan is filed January 19th):



- **October 19, 2010** Latest date at which transition must be completed (assumes initiation plan is filed January 19th).



- **May 1, 2011** Licensee must be able to demonstrate substantial service.

SELF-TRANSITION

(If an initiation plan is not filed in a BTA, a licensee may self-transition pursuant to § 27-1236. Licensee must relocate to its default channel and comply with rules regarding power limits, signal strength limits, emission limits, and interference protection.)

- **April 19, 2009** Licensee must send Self-Transition Notification to FCC, notify other licensees who geographic service areas overlap with the self-transitioning licensee that it is self-transitioning, address interference concerns with other licensees in the BTA that are also self-transitioning, and file a modification application with the FCC.
- **April 19, 2011** Licensee must complete self-transition.
- **May 1, 2011** Licensee must demonstrate substantial service.

SUBSTANTIAL SERVICE

47 CFR § 27-14(f). BRS and EBS licensees must make a showing of “substantial service” no later than May 1, 2011. Incumbent BRS licensees must file their “substantial service” showing with their renewal application. “Substantial service” is defined as service which is sound, favorable, and substantially above a level of mediocre service which just might minimally warrant renewal. Substantial service for BRS and EBS licensees is satisfied if a licensee meets the requirements of paragraph (e)(1) or (e)(2) [sic - should say (f)(1) or (f)(2)] of this section. If a licensee has not met the requirements of paragraph [f](1) or [f](2) of this section, then demonstration of “substantial service” shall proceed on a case-by-case basis. All substantial service determinations will be made on a license-by-license basis. Except for BTA licenses, BRS licensees must file their “substantial service” showing with their renewal applications. Failure by any licensee to meet this requirement will result in forfeiture of the license and the licensee will be ineligible to regain it.

- (1) A BRS or EBS licensee has provided “substantial service” by:
 - (i) Constructing six permanent links per one million people for licensees providing fixed point-to-point services;
 - (ii) Providing coverage of at least 30 percent of the population of the licensed area for licensees providing mobile services or fixed point-to multipoint services;
 - (iii) Providing service to “rural areas” (a county (or equivalent) with a population density of 100 persons per square mile or less, based upon the most recently available Census data) and areas with limited access to telecommunications services:
 - (A) For mobile service, where coverage is provided to at least 75% of the geographic area of at least 30% of the rural areas within its service area; or
 - (B) For fixed service, where the BRS or EBS licensee has constructed at least one end of a permanent link in at least 30% of the rural areas within its licensed area.
 - (iv) Providing specialized or technologically sophisticated service that does not require a high level of coverage to benefit consumers; or
 - (v) Providing service to niche markets or areas outside the areas served by other licensees.
- (2) An EBS licensee has provided “substantial service” when:
 - (i) The EBS licensee is using its spectrum (or spectrum to which the EBS licensee’s educational services are shifted) to provide educational services within the EBS licensee’s GSA;
 - (ii) The EBS licensee’s license is actually being used to serve the educational mission of one or more accredited public or private schools, colleges or universities providing formal educational and cultural development to enrolled students; or
 - (iii) The level of service provided by the EBS licensee meets or exceeds the minimum usage requirements specified in § 27.1214.
- (3) An EBS or BRS licensee may be deemed to provide substantial service through a leasing arrangement if the lessee is providing substantial service under paragraph [f](1) of this section. The EBS licensee must also be otherwise in compliance with this chapter (including the programming requirements in § 27.1203).