

**SOUTH CAROLINA**  
*Educational Broadband Service Commission*

GARY C. PENNINGTON, ESQUIRE  
CHAIRMAN

DR. JOACHIM G. TAIBER  
VICE CHAIRMAN

WILLIAM A. BYRD, P.E., C.S.

JACK M. COOPER



NEIL J. MELLEN

POINZETTIA STEPHENS

GEORGE H. WYATT, JR., P.E.

PAUL M. KOCH, ESQUIRE  
STAFF DIRECTOR  
4430 BROAD RIVER ROAD  
COLUMBIA, SOUTH CAROLINA 29210-4012  
(803) 896-0242  
Fax (803) 896-0789

Issued: January 26, 2009

Responses to questions submitted on January 13, 2009, by Richard B. Haddock, P.E., Chief Engineer, Farmers Telephone Coop, Incorporated.

1. Does the SCETV hold the entire spectrum (67 EBS licenses) covering the entire state?

**SCEBSC response:**

**SCETV holds all of the 67 licenses issued by the FCC.**

2. Did the FCC issue this spectrum on an individual BTA basis or on a state wide basis?

**SCEBSC response:**

**Neither. The FCC issued the licenses on a channel by channel basis. Each channel has a geographic service area that is depicted on the maps attached to the RFP. The licenses labeled STLs may not have a geographic service area absent a waiver of FCC rules.**

3. On what geographic area basis does SCEBSC require the respondents to bid? In other words, can the bid be on a county/partial county basis, or GSA/PSA basis as depicted in Attachment "B", or is it required to bid on a BTA basis.

**SCEBSC response:**

**Respondents may bid on all or a portion of the spectrum. The licenses are granted on a GSA basis so it is anticipated that Respondents will indicate which GSAs they are interested in leasing.**

4. The post-transition new bandplan indicates 42 MHz in the Mid-Ban that is reserved for high-power operations to preserve such things as the analog video services currently provided by SCETV. Does the SCETV plan to continue to reserve and use this 42 MHz of bandwidth for their own purposes? Or, does SCETV require the successful respondent to meet the educational-use obligations as required by the FCC to provide "Substantial Service" to the GSA no later than May 1, 2011?

**SCEBSC response:**

**No decision has been made to reserve more than 5% of the capacity for educational use as required by the FCC. The RFP seeks information about the willingness of Respondents to lease from 75% up to 95% of the capacity. Currently, SCETV plans to migrate its existing analog video operations into the midband and the RFP seeks information about the extent to which Respondents will assist SCETV in making this transition to the new bandplan. SCETV is open to considering other ways to make the transition to the new bandplan. The RFP also seeks information from Respondents about their willingness to assist SCETV in meeting the substantial service test under FCC rules. This could be accomplished through a combination of commercial and educational services. SCETV, as the FCC licensee, is ultimately accountable to the FCC for meeting the substantial service test.**

5. If the successful respondent in this RFP can meet all of the educational transmission requirements through other means such as through existing landline broadband ethernet circuits and/or wireless PCS(2G, 3G, or 4G) broadband, can the ETV's spectrum be utilized entirely for other commercial purposes? In other words, would this waive the FCC's educational use obligation requirements for the spectrum?

**SCEBSC response:**

**As described in the RFP and in the FCC rules, the FCC requires EBS licensees to meet certain minimum use requirements and satisfy the substantial service test over its spectrum, and reserve 5% of its capacity for educational use. In other words, EBS licensees may not meet these requirements using other technologies and may only lease up to 95% of its capacity for commercial purposes.**

6. With reference to Attachment "A", it appears that certain licenses in certain BTA's have expired. Have these expired licenses been forfeited back to the FCC?

**SCEBSC response:**

**No. There are timely filed renewal of license applications pending at the FCC and it is anticipated that they will be renewed in due course.**

7. Could the bidders get a copy of Clearwire Corporation's proposal for the three BTA's which they have been granted lease of the EBS spectrum?

**SCEBSC response:**

**Clearwire transitioned three BTAs to the new bandplan but does not hold any lease rights to the SCETV channels subject to the transition. Information relating to the transition is available from publically available FCC files and the SCEBSC website (<http://ebscommission.sc.gov>).**