Why are the States having to doing this?

If you don’t provide a reasonable certification, the Regional Planning Committees (RPCs) and/or adjacent states could challenge and request to use that spectrum if use is not documented.

Why do the showings need to be so detailed?

Detail is useful for the FCC to use in determining whether the benchmark has been met. Information about any sites that have been constructed is also valuable to the adjacent states, RPCs, and to the frequency coordinators in order to protect the state’s incumbent system.

How hard will it be for states to find this information?

System coverage documentation, including coverage maps, should have been provided when the state was designing its system. The state licensee is responsible for maintaining accurate records about the use of the spectrum. The governor or a designated state agency should have this detailed system information available.

I don’t want this sensitive information to be publicly available.

You can request confidential treatment of your filing and ask that sensitive information be redacted from the filing the FCC places in the public record. In general, the sites where the state has deployed may already be licensed in other bands and would be public record anyway. If your site is truly confidential (perhaps an installation at a classified facility), request confidential treatment from the FCC.

Why use the recommended template?

It makes it easier for the FCC to review which, in turn, makes it easier for you to get your substantial service approved.

How hard is it to analyze the population information?

If you can provide contours showing that the system covers certain major metropolitan areas it is a simple matter to research the population of those metro areas, add them together, divide by the population of the state and indicate that 1/3 (or 2/3) of the population is served = substantial service met.

What if we’re in the middle of system implementation and discover that we won’t meet the deadline?

You may be able to meet the “prepared to provide” substantial service requirement which allows you to certify that you have a planned and funded system that would meet the deadline. You should provide
the FCC with a summary of your contract timelines. Describe any natural disasters that may have impacted installation of the system, giving an estimate of when the damaged/destroyed site will be operational.

**What if, after you do the research, you realize that you don’t meet the 2014 deadline?**

If you can provide documentation, including build-out benchmarks, that you have designed a system that would meet the deadline, and have the project funded, then you can certify that you have met the substantial service benchmark because you “are prepared to provide” substantial service to 1/3 the state population/territory as provided in 90.529 (c).

If you can’t certify that you are “prepared to provide” substantial service, talk to the FCC, talk to your RPC, to see if something can be worked out.

**What about FAA and Quiet Zone restrictions?**

State licenses DO NOT trump FAA and Quiet Zone constraints. Although the states do not necessarily have to list all your locations, this does not allow the states to construct and operate beyond the FAA and Quiet Zone constraints. To that degree, states proposing systems should keep in mind that they do have to get approval from the aforementioned bodies, where necessary, before implementing their respective systems. If you have any questions pertaining to those regulations, call the FCC 800 number, NPSTC, or one of the frequency coordinators.

**Checklist!**

- Define your measuring criteria—population, territory or both
- List site locations
- Indicate on the site locations the date that the sites were constructed and in operation
- List total number of mobiles used throughout the state
- Define assumptions used in your presentation(s) (e.g., U.S. Census figures, Individual state statistics, how you counted up population, etc)
- Include radio contour maps if at all possible
- Remember filings are public—be mindful of critical infrastructure detailing and other sensitive information
- Know your FAA and Quiet Zone requirements