

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.



General Instructions For Spectrum Leasing

Purpose of Form

FCC Form 603-T is a multi-purpose form. It is used to provide required notification or request approval for any spectrum leasing arrangement ("Leases") entered into between an existing licensee ("Licensee") in certain Wireless Radio Services and a spectrum lessee ("Lessee"). This form also is required to notify or request approval for any spectrum subleasing arrangement ("Sublease"). The data collected on the form is used by the FCC to determine whether the public interest would be served by the Lease or Sublease.

The services that use this form are those services listed in paragraph 84 of the Secondary Markets Order. Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 00-230, FCC 03-113, at ¶ 84 & n.181 (rel. Oct. 6, 2003) ("Secondary Markets Order").

Introduction

This is a multi-part form consisting of a Main Form and several optional schedules. Each Application/Notification, amendment, or other request must contain only one Main Form but may contain as few or as many of the additional schedules as necessary.

Main Form

The purpose of the Main Form is to obtain information sufficient to identify the parties to the proposed Lease, establish the parties' eligibility and qualifications for entering into the Lease, classify the filing, and determine the nature of the proposed service. The Main Form also contains the required certifications and signature blocks for the parties. The Main Form is required for every filing.

(NOTE: The FCC Registration Number must be completed on the Main Form for all purposes.)

Schedules

In addition to the Main Form, which is required with every filing, completion of certain schedule(s) may also be required, depending on the type of Lease/Sublease involved. The purposes of these schedules are as follows:

Schedule A (Schedule for Licensees that Received Bidding Credits or Participate in the Installment Payment Plan, or Involving Licenses Won in Closed Bidding) This schedule establishes whether unjust enrichment provisions or other restrictions apply.

Schedule B (Schedule for New Lease) This Schedule is used to provide required notification for new Spectrum Manager Leases and to request approval for new *De Facto* Transfer Leases.

Schedule C (Schedule for Revision of Existing Lease/Sublease) This Schedule is used for notifying or requesting approval to revise the term of an existing Lease/Sublease.

Schedule D (Schedule for New Sublease) This Schedule is used to provide required notification for new Spectrum Manager Subleases and to request approval for New Long-Term *De Facto* Transfer Subleases.

Schedule E (Schedule for Assignment of Lease/Sublease or Transfer of Control of Lessee/Sublessee) This Schedule is used to notify or request approval of the assignment of a Lease/Sublease and to notify or request approval of the transfer of control of a Lessee/Sublessee. In addition, this Schedule is used to provide required notification of a *pro forma* assignment of the Lease/Sublease or a transfer of control of the Lessee/Sublessee that are subject to the Commission's forbearance procedures.

Schedule F (Schedule for Defined Geographic Area To Be Leased/Subleased) This Schedule is used in conjunction with either Schedule B or Schedule D when geographically licensed authorizations are involved and the entire geographic area and/or spectrum is not being Leased/Subleased. FCC-defined geographic boundaries (*i.e.*, FCC licensing area boundaries (MTA, BTA, MEA, etc.) or county boundaries) may be used to describe the geographic area of the Lease/Sublease and any amount of the licensed spectrum may be indicated (or both).

Schedule G (Schedule for Leases/Subleases that Involve an Undefined Geographic Area) This Schedule is used in conjunction with either Schedule B or Schedule D and Schedule F when (1) geographically licensed authorizations are involved, (2) spectrum associated with the entire geographic area is not being leased/subleased, and (3) the geographic area associated with the Lease/Sublease cannot be described using FCC-defined geographic boundaries. Undefined geographic areas are described by entering a minimum of three and a maximum of 120 geographic coordinates (latitude and longitude) outlining the periphery of the area of the spectrum that is being leased/subleased.

Who Must File and When

Existing Licensees may enter into Leases with spectrum Lessees, consistent with the Commission's rules related to such arrangements as set forth in subpart X of Part 1 of the Commission's rules, 47 C.F.R. §§ 1.9001 *et seq.* In general, two types of spectrum leasing arrangements are permitted: (1) spectrum manager leasing arrangements ("Spectrum Manager Leases") and (2) *de facto* transfer leasing arrangements ("*De Facto* Transfer Leases"). In addition, provided that certain conditions are met, Lessees are permitted to enter into spectrum subleasing arrangements ("Subleases") with spectrum sublessees ("Sublessees"). If the parties propose to enter into a Spectrum Manager Lease, the licensee must file a notification ("Notification") to the Commission, prior to commencement of operations under the Lease, providing specified information about and certifications by the Licensee and Lessee. If the parties propose to enter into a *De Facto* Transfer Lease, they are required to file an application ("Application") for approval by the Commission providing specified information about and certifications by the Licensee and Lessee. Similarly, if parties propose to enter into a Sublease, a Notification is required for a Spectrum Manager Sublease and an Application is required for a *De Facto* Transfer Sublease.

General Definition

Spectrum Manager Lease

A Licensee and Lessee may enter into a Spectrum Manager Lease provided that (1) the Licensee retains *de jure* control of its license and *de facto* control over the leased spectrum pursuant to the *de facto* control standard applicable to spectrum leasing arrangements (see 47 C.F.R. § 1.9010), and (2) the Licensee and Lessee meet the other applicable requirements for Spectrum Manager Leases as set forth in the Commission's rules. See generally 47 C.F.R. Part 1 subpart X.

De Facto Transfer Lease

A Licensee and Lessee may enter into a *De Facto* Transfer Lease, whereby *de facto* control over the use of the leased spectrum is transferred to the Lessee, provided that the Licensee retains *de jure* control of its license and the Licensee and Lessee meet the other applicable requirements for *De Facto* Transfer Leases as set forth in the Commission's rules. See generally 47 C.F.R. Part 1 subpart X.

New Lease

When the Licensee and Lessee enter into a Lease of certain specified spectrum associated with a particular license authorization for the first time, such Lease constitutes a new Lease ("New Lease") for purposes of this Notification/Application. A New Lease Application/Notification must be signed by both the Licensee and Lessee.

In addition, for purposes of this form, a New Lease also includes any instance in which the Licensee and Lessee of a Short-Term *De Facto* Transfer Lease involving spectrum associated with the license authorization seek to "convert" that Lease into a Long-Term *De Facto* Transfer Lease of spectrum under the license authorization.

If a New Lease Application/Notification is filed, both the Licensee and Lessee must sign the form.

Revision of Term of Existing Lease/Sublease

The term of any existing Lease/Sublease may be revised subsequent to entering into the Lease/Sublease, pursuant to the Commission's rules. See generally 47 C.F.R. Part 1 subpart X. If such a revision to an existing Lease/Sublease – either the extension of the term of the Lease/Sublease or the early termination of that Lease/Sublease – is proposed, Schedule C ("Revision of Existing Lease/Sublease") must be filed with the Commission. In addition, to the extent that parties to a Lease have never commenced operations under that Lease, Schedule C must be filed. **Note:** If the Application/Notification is pending, an Amendment to the Application/Notification must be filed.

If the Revision of Existing Lease/Sublease is filed for an extension of the term of the Lease/Sublease, the Licensee, Lessee, and if a Sublease, the Sublessee must sign the form.

If the Revision of Existing Lease/Sublease is filed for an early termination of that Lease/Sublease or to notify the Commission that the Lease/Sublease never commenced, only the Licensee must sign the form.

Sublease

A Lessee under an existing Spectrum Manager Lease or Long-Term *De Facto* Transfer Lease may enter into a Sublease for some or all of the spectrum leased pursuant to an existing Lease provided that the Licensee has approved the Sublease and all other applicable requirements for entering into a Sublease, as set forth in the Commission's rules, are met. See generally 47 C.F.R. Part 1 subpart X. If the underlying Lease is a Spectrum Manager Lease, the Lessee and Sublessee are only permitted to enter into a Spectrum Manager Sublease. If the underlying Lease is a Long-Term *De Facto* Transfer Lease, the Lessee and Sublessee may enter into either a Spectrum Manager Sublease or *De Facto* Transfer Sublease. Lessees under a Short-Term *De Facto* Transfer Lease are not permitted to enter into Subleases.

If a New Sublease Application/Notification is filed, the Licensee, Lessee, and Sublessee must sign the form.

Assignment of a Lease/Sublease

A Lessee/Sublessee may assign an existing Lease/Sublease provided that the Licensee has agreed to such an assignment and doing so is consistent with Commission rules. See *generally* 47 C.F.R. Part 1 subpart X. Schedule E must be completed for an assignment of an existing Lease/Sublease.

If an Assignment of a Lease/Sublease is filed, the Licensee, Lessee, and if a Sublease, the Sublessee must sign the form.

In the case of an Assignment of a Lease, the Lessee is the party that is being assigned the Lease.

In the case of an Assignment of a Sublease, the Sublessee is the party that is being assigned the Lease.

Transfer of Control of the Lessee/Sublessee

A transfer of control of the Lessee/Sublessee under an existing Lease/Sublease is permitted pursuant to the Commission rules. See *generally* 47 C.F.R. Part 1 subpart X. Such a transfer of control involves the transfer of *de jure* or *de facto* control of the Lessee/Sublessee, but generally does not involve a change of the Lessee's/Sublessee's name. Refer to the applicable FCC rules for definitions of controlling interest and ownership. Schedule E must be completed for a transfer of control of the Lessee/Sublessee involving an existing Lease/Sublease.

If a Transfer of Control of the Lessee/Sublessee is filed, the Licensee, Transferor, and Transferee must sign the form.

Lease/Sublease Identifiers

For the purposes of FCC Form 603-T and the interim process of accepting filings for Leases/Subleases, the FCC will issue a unique identifier for each Lease/Sublease ("Lease/Sublease Identifier"). The Lease/Sublease Identifier can be located in the Universal Licensing System ("ULS") under the "Special Conditions" section of the license from which spectrum was leased/subleased. The FCC will use this information to process the Application/Notification and update ULS accordingly. See instructions to specific schedules to determine when the Lease/Sublease Identifier needs to be provided.

Information Current and Complete

Information filed with the FCC must be kept current and complete. Parties to the Application/Notification must notify the FCC regarding any substantial and significant changes in the information furnished in the Application/Notification. See Section 1.65 of the Commission's rules.

Applicable Rules and Regulations

Parties proposing to enter into Leases should obtain the relevant parts of the FCC's rules in 47 CFR. Copies of 47 CFR may be purchased from the Superintendent of Documents; Government Printing Office; Washington, DC 20402; (202) 512-1800. Refer also to the Government Printing Office's Website at <http://www.access.gpo.gov>. Some FCC rules require applicants to attach one or more exhibits to an application in addition to the information requested in the application form.

Application Fees and Filing Locations

An application fee may be required with this form. Parties filing a *De Facto* Transfer Lease Application will be required to pay an application fee consistent with a transfer of control application as required by section 1.1102 of the Commission's rules, 47 C.F.R. § 1.1102, applicable to the particular service involved, unless the service is exempted from application filing fees pursuant to section 1.1114 of the Commission's rules. 47 C.F.R. § 1.1114. Parties filing a Spectrum Manager Lease Notification do not have to pay application fees. To determine the required fee amount, refer to Subpart G of Part 1 of the Code of Federal Regulations (47 CFR Part 1, Subpart G) and the current Wireless Telecommunications Bureau Fee Filing Guide **or** FCC Form 1070AT. FCC Form 1070AT provides the fee information specifically for Form 603 (the same fee applies to Form 603-T). For assistance with fees applicable to the radio services governed by the FCC's rules, call (202) 418-0220 or 888-CALLFCC (888-225-5322) and select option #2. The Fee Filing Guide can be downloaded from the FCC's Internet site at <http://www.fcc.gov/fees> or obtained by calling the FCC's Forms Distribution Center at (800) 418-FORM (3676).

Paper applications requiring a fee must be submitted to Federal Communications Commission, Wireless Bureau Applications, P. O. Box 358130, Pittsburgh, PA 15251-5130.

Non-feeable paper applications should be mailed to Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245. Hand-deliveries and messenger deliveries should be addressed for delivery to Federal Communications Commission, 1280 Fairfield Road, Gettysburg, PA 17325.

Submission of Paper-Filed Forms

The number of paper copies of this Application/Notification required to be filed is one original. The Main Form and the applicable schedules should be submitted as one package, stapled in the upper left corner. The Main Form should be first with the schedules attached in alphabetical order.

Exhibits

Each document required to be filed as an exhibit should be current as of the date of filing. Each page of every exhibit must be identified with the number or letter of the exhibit, the number of the page of the exhibit, and the total number of pages of the exhibit. If material is to be incorporated by reference, see the instruction on incorporation by reference.

Incorporation by Reference

You may incorporate by reference documents, exhibits, or other lengthy showings already on file with the FCC only if: the information previously filed is more than one 8 1/2" by 11" page in length, and all information therein is current and accurate in all significant respects; the reference states specifically where the previously filed information can be found (*i.e.*, station Call Sign and Application/Notification file number, title of proceeding, docket number and legal citations), including exhibit and page references. Use the relevant item number followed by 'A.' Items that call for numbers, or which can be answered 'Y' or 'N' or other short answers must be answered directly without reference to a previous filing.

For Assistance

For assistance with this Application/Notification, contact the Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245, call 888-CALLFCC (888-225-5322) and select option #2.

Electronic Filers

For technical assistance with filing electronically, contact the Wireless Telecommunications Bureau Technical Support line, 202-414-1250.

Instructions for FCC 603-T Main Form

Items 1-3 Indicate whether the Application/Notification is being filed as a Spectrum Manager Lease, a *De Facto* Transfer Lease, or as an Amendment or Withdrawal of a pending Application/Notification. If the filing is an Amendment or Withdrawal of a pending Application/Notification do not respond to Items 4-8.

Items 4-8 Indicate the type of Spectrum Manager Lease or type of *De Facto* Transfer Lease that is being filed pursuant to this Application/Notification. Choose only one item.

Item 9 If the filing is an Amendment or Withdrawal of a previously filed Application/Notification, provide the File Number of the original Application/Notification. This information can be obtained by contacting the FCC at 888-CALLFCC (888-225-5322) and select option #2 or using the ULS Application search.

Item 10 If this Application/Notification is one in a series of Applications/Notifications, enter the file number of the lead Application/Notification of the transaction.

The purpose of this item is to indicate whether the proposed transaction involves the Lease/Sublease of other spectrum not listed on the applicant's filing that is held by the Licensee, affiliates of the Licensee, or third parties (*e.g.*, spectrum swaps or multi-party transactions). For this purpose, "affiliates" is defined in 47 CFR §1.2110(a)(4), and includes parents, subsidiaries, or commonly-controlled entities. Where a transaction involves the Lease/Sublease of spectrum under multiple licenses held by a common Licensee, a single Form should be filed whenever possible. Where a transaction involves the Lease/Sublease of spectrum under licenses by affiliated Licensees or third-party licensees, a separate Form must be filed for each affiliate or licensee. Leave this field blank if all licenses to be Leased/Subleased as a result of the proposed transaction are listed on one Form. If multiple Applications/Notifications have been filed as part of a transaction, list all of the Applications/Notifications in an exhibit. Parties who seek to Lease/Sublease licenses as part of a larger transaction or plan on filing multiple Applications/Notifications are strongly encouraged to contact the Wireless Telecommunications Bureau in advance of filing this Form.

Item 11 Enter 'Y' if attachments are being filed with this Application/Notification. Otherwise, enter 'N'.

Parties submitting Applications/Notifications may in some instances be required to provide by means of an attachment additional information not specifically requested elsewhere on Form 603-T to establish the qualifications of the Lessee/Sublessee/Transferee or to otherwise demonstrate that the proposed transaction is in the public interest. The burden is on the parties to determine whether such additional information is necessary under Section 310(d) in light of the circumstances of the particular Lease/Sublease. Applicants seeking further guidance on this issue are encouraged to contact the Wireless Telecommunications Bureau in advance of filing Form 603-T.

Item 12a This item notifies the FCC that applicant is exempt from FCC application fees. See Wireless Telecommunications Bureau Fee Filing Guide, FCC Form 1070AT or call the Consumer and Governmental Affairs Bureau at 888-CALLFCC (888-225-5322) and select option #2.

Item 12b If a request for waiver/deferral of the FCC application fees has been filed with the FCC, enter 'Y' and attach an exhibit with the date-stamped copy of the request. Otherwise, enter 'N'.

Item 13a If the filing includes a request for waiver of the Commission's rules (other than FCC application fees), enter 'Y' and attach an exhibit specifying the rule section(s) for which a waiver is being requested and including a justification for the requested waiver. Otherwise, enter 'N'.

Item 13b If the response to item 13a is 'Y', provide the number of rule sections for which a waiver is being requested.

Item 14a If the transaction involves the Lease/Sublease of spectrum under licenses that were awarded with bidding credits within the last five years, the licenses may be subject to the FCC's unjust enrichment rules. See 47 C.F.R § 1.2111(d), (e). If the response to 14a is 'Y', answer the applicable questions on Schedule A.

Item 14b If the transaction involves the Lease/Sublease of spectrum under licenses that were awarded subject to the FCC's installment payment program, the licenses may be subject to the FCC's unjust enrichment rules. See 47 C.F.R § 1.2111(c), (e). If the response to 14b is 'Y', answer the applicable questions on Schedule A.

Item 14c If the transaction involves the Lease/Sublease of spectrum under licenses that were awarded pursuant to closed bidding within the last five years, the licenses may be subject to restrictions. See 47 C.F.R. §§ 24.709, 24.839. If the response to 14c is 'Y', answer the applicable questions on Schedule A.

Item 15 If the Application/Notification includes licenses in the Wireless Radio Services that are subject to the ownership reporting requirements of 1.2112(a), the Lessee/Sublessee must file a FCC Form 602, Ownership Disclosure Form. If a current and accurate form is on file with the FCC, check the applicable box and fill in the name, date, and FRN fields. If the Form 602 is being filed concurrently with the Application/Notification, check the applicable box and fill in the name and FRN under which the Form 602 will be filed. If a Form 602 is not required, check the applicable box.

Licensee Information

Items 16 through 28 identify the Licensee. This information must be provided for all Applications/Notifications.

Item 16 This item indicates the legal entity type of the Licensee. Enter 'I' for Individual, 'U' for Unincorporated Association, 'T' for Trust, 'G' for Government Entity, 'J' for Joint Venture, 'C' for Corporation, 'L' for Limited Liability Corporation, 'P' for Partnership, or 'O' for Consortium.

Item 17 This item is mandatory. You must enter the Licensee's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. 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 for downloading from <http://www.fcc.gov/formpage.html> or by calling 800-418-FORM (3676).

Items 18-26 Complete either Item 18 or Item 19, depending on whether the Licensee is an individual or company, respectively. You may enter a post office box number in Item 21 or a street address in Item 22, or enter information for both items. Enter the city, state, and zip code in Items 23, 24, and 25, respectively. Refer to Main Form Instructions, Appendix II, for a list of valid state, jurisdiction, and area abbreviations. Enter a telephone number, including area code, in Item 26.

Items 27 and 28 Enter the Licensee's fax number and e-mail address, if desired and available.

Failure to respond to FCC correspondence sent to the address of record may result in dismissal of an Application/Notification, liability for forfeiture, or revocation of an authorization.

Ethnicity, Race, and Gender question for Licensee (Optional)

Item 29 The information is optional and is requested for informational purposes only. Responses to this item will in no way affect processing of Applications/Notifications.

Name of Licensee Contact Representative

Items 30-39 These items identify the contact representative for the Licensee, if different from the Licensee. This is usually the headquarters office of a large company, the law firm or other representative of the Licensee, or the person or company that prepared or submitted the Application/Notification on behalf of the Licensee. If there is a question about the Application/Notification, an FCC representative will communicate with the Licensee's contact representative.

If this section is used, a name (Item 30) and telephone number (Item 37) are required at a minimum. If the address items are completed, you may enter a post office box number in Item 32 or a street address in Item 33, or enter information for both items.

Lessee Information

Items 40 through 52 identify the Lessee. This information must be provided for all Applications/Notifications, except for the transfer of control of a Sublessee.

Item 40 This item indicates the legal entity type of the Lessee. Enter 'I' for Individual, 'U' for Unincorporated Association, 'T' for Trust, 'G' for Government Entity, 'J' for Joint Venture, 'C' for Corporation, 'L' for Limited Liability Corporation, 'P' for Partnership, or 'O' for Consortium.

Item 41 This item is mandatory. You must enter the Lessee's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. 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 for downloading from <http://www.fcc.gov/formpage.html> or by calling 800-418-FORM (3676).

Items 42-50 Complete either Item 42 or Item 43, depending on whether the Lessee is an individual or company, respectively. You may enter a post office box number in Item 45 or a street address in Item 46, or enter information for both items. Enter the city, state, and zip code in Items 47, 48, and 49, respectively. Refer to Main Form Instructions, Appendix II, for a list of valid state, jurisdiction, and area abbreviations. Enter a telephone number, including area code, in Item 50.

Items 51 and 52 Enter the Lessee's fax number and e-mail address, if desired and available.

Failure to respond to FCC correspondence sent to the address of record may result in dismissal of an Application/Notification, liability for forfeiture, or revocation of a Lease, Sublease, or authorization.

Name of Lessee Contact Representative

Items 53-62 These items identify the contact representative for the Lessee, if different from the Lessee. This is usually the headquarters office of a large company, the law firm or other representative of the Lessee, or the person or company that prepared or submitted the Application/Notification on behalf of the Lessee. If there is a question about the Application/Notification, an FCC representative will communicate with the Lessee's contact representative.

If this section is used, a name (Item 53) and telephone number (Item 60) are required at a minimum. If the address items are completed, you may enter a post office box number in Item 55 or a street address in Item 56, or enter information for both items.

Sublessee Information

Items 63 through 75 identify the Sublessee.

Item 63 This item indicates the legal entity type of the Sublessee. Enter 'I' for Individual, 'U' for Unincorporated Association, 'T' for Trust, 'G' for Government Entity, 'J' for Joint Venture, 'C' for Corporation, 'L' for Limited Liability Corporation, 'P' for Partnership, or 'O' for Consortium.

Item 64 This item is mandatory. You must enter the Sublessee's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. 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 for downloading from <http://www.fcc.gov/formpage.html> or by calling 800-418-FORM (3676).

Items 65 and 66 Complete either Item 65 or Item 66, depending on whether the Sublessee is an individual or company, respectively.

Items 67-73 Enter the name, address, and telephone number of the person to whom the FCC should send correspondence. You may enter a post office box number in Item 68 or a street address in Item 69, or enter information for both items. Enter the city, state, and zip code in Items 70, 71, and 72, respectively. Refer to Main Form Instructions, Appendix II, for a list of valid state, jurisdiction, and area abbreviations. Enter a telephone number, including area code, in Item 73.

Items 74 and 75 Enter the Sublessee fax number and e-mail address, if desired and available.

Failure to respond to FCC correspondence sent to the address of record may result in dismissal of an Application/Notification, liability for forfeiture, or revocation of a Lease, Sublease, or authorization.

Name of Sublessee Contact Representative

Items 76-85 These items identify the contact representative for the Sublessee, if different from the Sublessee. This is usually the headquarters office of a large company, the law firm or other representative of the Sublessee, or the person or company that prepared or submitted the Application/Notification on behalf of the Sublessee. If there is a question about the Application/Notification, an FCC representative will communicate with the Sublessee's contact representative.

If this section is used, a name (Item 76) and telephone number (Item 83) are required at a minimum. If the address items are completed, you may enter a post office box number in Item 78 or a street address in Item 79, or enter information for both items.

Transferor Information

Items 86 through 98 identify the Transferor. The transferor in the case of a transfer of control of a Lessee/Sublessee is the *de jure* or *de facto* control holder (e.g., the controlling interest holder, majority shareholder, parent company, etc.) of the Lessee/Sublessee.

Item 86 This item indicates the legal entity type of the Transferor. Enter 'I' for Individual, 'U' for Unincorporated Association, 'T' for Trust, 'G' for Government Entity, 'J' for Joint Venture, 'C' for Corporation, 'L' for Limited Liability Corporation, 'P' for Partnership, or 'O' for Consortium.

Item 87 This item is mandatory. You must enter the Transferor's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. 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 for downloading from <http://www.fcc.gov/formpage.html> or by calling 800-418-FORM (3676).

Items 88 and 89 Complete either Item 88 or Item 89, depending on whether the Transferor is an individual or company, respectively.

Items 90-98 Enter the name, address, and telephone number of the person to whom the FCC should send correspondence. You may enter a post office box number in Item 91 or a street address in Item 92, or enter information for both items. Enter the city, state, and zip code in Items 93, 94, and 95, respectively. Refer to Main Form Instructions, Appendix II, for a list of valid state, jurisdiction, and area abbreviations. Enter a telephone number, including area code, in Item 96.

Items 97 and 98 Enter the Transferor fax number and e-mail address, if desired and available.

Failure to respond to FCC correspondence sent to the address of record may result in dismissal of an Application/Notification, liability for forfeiture, or revocation of an authorization.

Name of Transferor Contact Representative

Items 99-108 These items identify the contact representative for the Transferor, if different from the Transferor. This is usually the headquarters office of a large company, the law firm or other representative of the Transferor, or the person or company that prepared or submitted the Application/Notification on behalf of the Transferor. If there is a question about the Application/Notification, an FCC representative will communicate with the Transferor's contact representative.

If this section is used, a name (Item 99) and telephone number (Item 106) are required at a minimum. If the address items are completed, you may enter a post office box number in Item 101 or a street address in Item 102, or enter information for both items.

Transferee Information

Items 109 through 121 identify the Transferee. The transferee in the case of a transfer of control of a Lessee/Sublessee is the entity or individual that will exercise *de jure* or *de facto* control over the Lessee/Sublessee post-transaction.

Item 109 This item indicates the legal entity type of the Transferee. Enter 'I' for Individual, 'U' for Unincorporated Association, 'T' for Trust, 'G' for Government Entity, 'J' for Joint Venture, 'C' for Corporation, 'L' for Limited Liability Corporation, 'P' for Partnership, or 'O' for Consortium.

Item 110 This item is mandatory. You must enter the Transferee's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. 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 for downloading from <http://www.fcc.gov/formpage.html> or by calling 800-418-FORM (3676).

Items 111 and 112 Complete either Item 111 or Item 112, depending on whether the Transferee is an individual or company, respectively.

Items 113-119 Enter the name, address, and telephone number of the person to whom the FCC should send correspondence. You may enter a post office box number in Item 114 or a street address in Item 115, or enter information for both items. Enter the city, state, and zip code in Items 116, 117, and 118, respectively. Refer to Main Form Instructions, Appendix II, for a list of valid state, jurisdiction, and area abbreviations. Enter a telephone number, including area code, in Item 119.

Items 120 and 121 Enter the Transferee fax number and e-mail address, if desired and available.

Failure to respond to FCC correspondence sent to the address of record may result in dismissal of an Application/Notification, liability for forfeiture, or revocation of an authorization.

Name of Transferee Contact Representative

Items 122-131 These items identify the contact representative for the Transferee, if different from the Transferee. This is usually the headquarters office of a large company, the law firm or other representative of the Transferee, or the person or company that prepared or submitted the Application/Notification on behalf of the Transferee. If there is a question about the Application/Notification, an FCC representative will communicate with the Transferee's contact representative.

If this section is used, a name (Item 122) and telephone number (Item 129) are required at a minimum. If the address items are completed, you may enter a post office box number in Item 124 or a street address in Item 125, or enter information for both items.

Alien Ownership Questions

Pursuant to the Secondary Markets Order, the Commission requires that Lessees/Sublessees meet the eligibility requirements that pertain to foreign ownership, as set forth in section 310 of the Communications Act. See *Secondary Markets Order*, WT Docket No. 00-230, FCC 03-113, at ¶¶ 110,143. The following items enable the FCC to determine whether a Lessee/Sublessee is eligible under Section 310(a) and (b) of the Communications Act of 1934, as amended, to Lease/Sublease. If the Application/Notification is for the transfer of a lease or sublease, the foreign ownership of the post-transaction Lessee or Sublessee is evaluated.

Item 132 All Lessees/Sublessees filing an Application/Notification must answer Item 132. The FCC cannot grant an Application/Notification if the Lessee/Sublessee is a foreign government or the representative of a foreign government. Therefore, if the true and correct answer to Item 132 is 'Y', the Lessee/Sublessee is not eligible to enter into a Lease and the FCC will dismiss the Application/Notification, if filed, without further consideration.

Items 133-136 Only Lessees/Sublessees that seek to provide common carrier services must answer Items 133-136. The FCC cannot grant an Application/Notification to provide common carrier service to any Lessee/Sublessee for which the true and correct answer to any of Items 133, 134, or 135 is 'Y'. The FCC will dismiss the Application/Notification without further consideration.

If the true and correct answer to Item 136 is 'Y', the Lessee/Sublessee must attach an exhibit explaining the circumstances. In the exhibit, the Lessee/Sublessee must demonstrate how allowing the Lessee/Sublessee to lease spectrum is consistent with the Commission's policies pursuant to Section 310(b)(4) of the Communications Act of 1934. In general, the Commission has indicated that there is a strong presumption that indirect foreign ownership of common carrier radio Lessees or Sublessees by entities whose home markets are in countries that are members of the World Trade Organization (WTO) serves the public interest. If more than 25 percent of the ownership of a Lessee/Sublessee of common carrier radio spectrum is attributable to parties whose home markets are in non-WTO member countries, the Commission will evaluate whether those markets offer effective competitive opportunities to U.S. investors in the same service sector. See Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, IB Docket No. 97-142, *Report and Order and Order on Reconsideration*, FCC 97-398, 12 FCC Rcd 23,891, ¶¶ 97-118, 131 (1997).

Item 137 If the answer to Item 136 is 'Y', it is necessary for the Lessee/Sublessee to have or obtain approval of the Lessee's/Sublessee's indirect foreign ownership. If the Lessee/Sublessee has received a declaratory ruling approving the Lessee's/Sublessee's indirect foreign ownership, select 'Y' and provide in an exhibit the citation of the ruling (i.e., the FCC or DA number, the FCC Record citation) and the date of release. If the Lessee/Sublessee has not received a ruling approving the Lessee's/Sublessee's indirect foreign ownership, select 'N' and attach a date-stamped copy of the request for a declaratory ruling seeking approval of the Lessee's/Sublessee's foreign ownership pursuant to Section 310(b)(4) of the Communications Act.

Basic Qualification Questions

Items 138-141 These items enable the FCC to determine whether a Lessee/Sublessee/Transferee is eligible to Lease/Sublease spectrum or control a Lessee/Sublessee. Lessees/Sublessees/Transferees do not have to answer these questions if they are filing Form 603-T for a revision of the terms of an existing Lease/Sublease. If the answer to any one or more of Items 138-141 is 'Y', attach as an exhibit a statement explaining the circumstances and a statement giving the reasons why the Lessee/Sublessee/Transferee believes that grant of the Application/Notification would be in the public interest notwithstanding the actual or alleged misconduct. If the Lessee/Sublessee/Transferee responds 'Y', to any question and has previously provided a statement and explanation regarding the circumstances as an attachment to a prior Application/Notification filed in ULS, and the facts and circumstances are unchanged, the Lessee/Sublessee/Transferee may refer to the previous Application/Notification by identifying the Application/Notification file number and indicating the disposition of the prior Application/Notification.

Licensee Certification Statements

By signing this form, the Licensee certifies that the statements listed in this section are true, complete, correct, and made in good faith.

Items 142-144 These items must be completed. To be acceptable for filing, the Application/Notification (or Amendment or Withdrawal of a pending Application/Notification) must be signed in accordance with Part 1 of the FCC rules. The party signing must be a person authorized to sign the Application/Notification. A paper original of the Application/Notification must bear an original signature; neither a rubber-stamped nor photocopied signature is acceptable. For a Licensee filing electronically via ULS, the electronic signature shall consist of the name of the individual typed on the Application/Notification as a signature.

Lessee/Sublessee Certification Statements

By signing this form, the Lessee/Sublessee certifies that the statements listed in this section are true, complete, correct, and made in good faith.

Items 145-150 Items 145-147 must be completed for the Lessee and items 148-150 must be completed for the Sublessee. To be acceptable for filing, the Application/Notification (or Amendment or Withdrawal of a pending Application/Notification) must be signed in accordance with Part 1 of the FCC rules. The party signing must be a person authorized to sign the Application/Notification. A paper original of any Application/Notification must bear an original signature; neither a rubber-stamped nor photocopied signature is acceptable. For a Lessee/Sublessee filing electronically via ULS, the electronic signature shall consist of the name of the individual typed on the Application/Notification as a signature.

Transferor Certification Statements

By signing this form, the Transferor certifies that the statements listed in this section are true, complete, correct, and made in good faith.

Items 151-153 These items must be completed. To be acceptable for filing, the Application/Notification (or Amendment or Withdrawal of a pending Application/Notification) must be signed in accordance with Part 1 of the FCC rules. The part signing must be a person authorized to sign the Application/Notification. A paper original of any Application/Notification must bear an original signature; neither a rubber-stamped nor photocopied signature is acceptable. For a Transferor filing electronically via ULS, the electronic signature shall consist of the name of the individual typed on the Application/Notification as a signature.

Transferee Certification Statements

By signing this form, the Transferee certifies that the statements listed in this section are true, complete, correct, and made in good faith.

Items 154-156 These items must be completed. To be acceptable for filing, the Application/Notification (or Amendment or Withdrawal of a pending Application/Notification) must be signed in accordance with Part 1 of the FCC rules. The signor must be a person authorized to sign the Application/Notification. A paper original of any Application/Notification must bear an original signature; neither a rubber-stamped nor photocopied signature is acceptable. For a Transferee filing electronically via ULS, the electronic signature shall consist of the name of the individual typed on the Application/Notification as a signature.

License Authorizations Associated with the Lease/Sublease

Items 157-162 In every Application/Notification, list the Call Sign(s) of the license(s) that are associated with the spectrum included in the proposed Lease/Sublease. Accordingly, there must be at least one Call Sign entry in the column designated as Item 157. For example, if the filing is for a new Lease/Sublease and the spectrum involved in the Lease/Sublease is associated with three different Call Signs, all three call signs must be provided. Likewise, if the Application/Notification is to revise existing Lease/Sublease terms, and each Lease/Sublease is composed of spectrum associated with spectrum from different Call Signs, all three Calls Signs must be provided.

In addition, if this is an Application/Notification for New Lease/Sublease for a site-based License and the Lease/Sublease does not encompass the entire License, use this section to identify the specific locations/paths to be Leased/Subleased (complete Items 159-162, as appropriate).

Item 157 In this column, list the Call Signs of the licenses that are associated with the Lease/Sublease. Call signs are located on FCC Authorizations.

Note: Listing Call Signs associated with site-based licenses without specifying specific locations, paths (Microwave Services only), or frequencies will result in all locations, paths, and frequencies for that Call Sign to be associated with the spectrum to be leased/subleased. Use Item 159 to specify which (if any) specific locations are to be included in the Lease/Sublease. Use Item 160 to specify which (if any) specific paths (Microwave Services only) are to be included in the Lease/Sublease. Use Items 161 and 162 to specify which (if any) specific frequencies are to be included in the Lease/Sublease.

Item 158 In this column, list the Radio Service of the Call Sign. The Radio Service is a 2-letter code and is located on FCC authorizations.

Site-based authorizations only

Item 159 In this item, list the location numbers associated with the spectrum to be leased/subleased. Location numbers are located on FCC Authorizations.

Note: Providing locations without specifying which specific frequencies are to be leased/subleased for that location will result in all frequencies at that location being associated with the spectrum to be Leased/Subleased. Use Items 161 and 162 to specify which (if any) specific frequencies are to be included in the Lease/Sublease.

Item 160 In this item, list the path numbers to be included in the Lease/Sublease (Microwave Services only). Path numbers are located on FCC Authorizations.

Note: Providing paths without specifying which specific frequencies are to be leased/subleased for that path will result in all frequencies on that path being associated with the spectrum to be Leased/Subleased. Use Items 161 and 162 to specify which (if any) specific frequencies are to be included in the Lease/Sublease.

Item 161 and 162 In these items, list the frequencies, in Megahertz (MHz), to be included in the Lease/Sublease. Enter the center frequency, or the lower frequency of a frequency band, in Item 161. If applicable, enter the upper frequency of a frequency band in Item 162. Frequencies are located on FCC Authorizations.

Appendix II

STATE TABLE

Abbreviations for States, Jurisdictions, and Areas

| | | | |
|----|----------------------|----|---|
| AL | Alabama | NC | North Carolina |
| AK | Alaska | ND | North Dakota |
| AZ | Arizona | OH | Ohio |
| AR | Arkansas | OK | Oklahoma |
| CA | California | OR | Oregon |
| CO | Colorado | PA | Pennsylvania |
| CT | Connecticut | RI | Rhode Island |
| DE | Delaware | SC | South Carolina |
| DC | District of Columbia | SD | South Dakota |
| FL | Florida | TN | Tennessee |
| GA | Georgia | TX | Texas |
| GM | Gulf of Mexico | UT | Utah |
| HI | Hawaii | VT | Vermont |
| ID | Idaho | VA | Virginia |
| IL | Illinois | WA | Washington |
| IN | Indiana | WV | West Virginia |
| IA | Iowa | WI | Wisconsin |
| KS | Kansas | WY | Wyoming |
| KY | Kentucky | | |
| LA | Louisiana | AS | American Samoa |
| ME | Maine | GU | Guam |
| MD | Maryland | MP | Northern Mariana Islands |
| MA | Massachusetts | PR | Puerto Rico |
| MI | Michigan | UM | U.S. Territories: (Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Navassa Island, Palmyra Atoll and Wake Island) |
| MN | Minnesota | | |
| MS | Mississippi | VI | Virgin Islands |
| MO | Missouri | | |
| MT | Montana | | |
| NE | Nebraska | AA | Armed Forces-Americas (excluding Canada) |
| NV | Nevada | AE | Armed Forces-(Europe, Middle East, Africa, Canada) |
| NH | New Hampshire | AP | Armed Forces-Pacific |
| NJ | New Jersey | | |
| NM | New Mexico | | |
| NY | New York | | |

**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> |
|--|

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). | | | |

License Authorization(s) Associated with the Spectrum To Be Included in the Lease/Sublease

| 157) Call Sign | 158) Radio Service | 159) Location Number | 160) Path Number (Microwave only) | 161) Lower or Center Frequency (MHz) | 162) Upper Frequency (MHz) |
|-------------------|--------------------------|----------------------------|--|--|----------------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

* Questions 159 – 162 are for Leases/Subleases involving spectrum associated with site-based authorizations.
FCC 603-T – Main Form
February 2004 – Page 13