



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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September 21, 1998

**WIRELESS TELECOMMUNICATIONS BUREAU TO BEGIN USE OF
UNIVERSAL LICENSING SYSTEM (ULS) FOR LICENSING OF PCS, WCS,
AND OTHER GEOGRAPHICALLY LICENSED SERVICES**
*ULS Will Handle Applications in Broadband and Narrowband PCS,
LMDS, WCS, and 800 MHz SMR EA Services Beginning September 23, 1998*

On September 23, 1998, the Wireless Telecommunications Bureau (Bureau) will begin use of the Universal Licensing System (ULS) for all licensing activity, including transfers, assignments, and partitioning and disaggregation in the Broadband and Narrowband Personal Communications Services (PCS) and the Wireless Communications Services (WCS). In addition, use of ULS will be expanded to allow filing of transfer and assignment applications (including partitioning and disaggregation) pertaining to Local Multi-point Distribution Service (LMDS) and 800 MHz Special Mobile Radio (SMR) Economic Area (EA) licenses.

ULS is a new, interactive licensing database developed by the Bureau to consolidate and replace eleven existing licensing systems used to process applications and grant licenses in wireless services. ULS provides numerous benefits, including fast and easy electronic filing, improved data accuracy through automated checking of applications, and enhanced electronic access to licensing information.

On September 17, 1998, the Commission adopted a *Report and Order* concerning ULS in WT Docket No. 98-20, in which it adopted new licensing rules and revised application forms for future use in ULS.¹ The new rules adopted in the Commission's order will become effective 60 days after publication of the *Report and Order* in the Federal Register, and the revised forms will be effective upon final approval by the Office of Management and Budget (OMB). This Public Notice summarizes interim procedures for the deployment of ULS in PCS, WCS, LMDS, and 800 MHz SMR EA licensing (collectively, "ULS Geographic Services"), pending the effective date of the final rules and forms adopted in the *Report and Order*.

This deployment is part of the Bureau's ongoing phased deployment of ULS in all wireless services. ULS has previously been used to process long form applications following the 800 MHz SMR and LMDS auctions (Auctions 16 and 17, respectively), and more recently to handle all licensing activity in the Part 22 Paging and Radiotelephone Service² and Offshore Radiotelephone Service.³ Deployment of ULS in other wireless services

¹ Amendment of Parts 0, 1, 12, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, *Report and Order*, WT Docket No. 98-20, adopted September 17, 1998, release pending.

² See "Wireless Telecommunications Bureau Announces New Procedures for Filing Part 22 Paging Applications in the Universal Licensing System (ULS) Starting June 1, 1998," *Public Notice*, May 22, 1998.

³ See "Wireless Telecommunications Bureau Announces New Procedures for Filing Part 22 Offshore Radiotelephone Service Applications in Universal Licensing System (ULS) Starting July 1, 1998," *Public Notice*, June 30,

will be addressed by future public notices. In particular, this Public Notice does not affect incumbent site-based licensees in the 800 MHz SMR, 900 MHz SMR, and 220 MHz services. These licenses will be converted to ULS at a later date. In addition, this Public Notice does not address post-auction long form filing procedures for the 220 MHz auction (Auction 18). Such procedures will be announced at the conclusion of the auction.

Overview of ULS Conversion

Beginning on September 23, 1998, applicants and licensees in the ULS Geographic Services will be able to use ULS Forms for electronic filing of applications, modifications, amendments, notifications, and transfer and assignment requests.⁴ Licensing information regarding these services will also be available in ULS. As a result, applicants, licensees, and the public will be able to use Geographic Information System (GIS) mapping technology, which enables users to create customized maps to view the market areas of individual licenses, query by market, and view all licensees authorized to operate within a specific market area.

As part of the conversion process, all existing PCS and WCS licensing data currently residing in the Bureau's PCS database will be transferred to the ULS database, all PCS and WCS applications filed on or after September 23, 1998 will be entered into the ULS database and processed through the new system, and the former PCS database will no longer be updated. Licensing data for LMDS and 800 MHz SMR EA licensees, however, is already accessible in the ULS database.

TIN Registration

As mandated by the Debt Collection Improvement Act of 1996, the Commission has required wireless geographic licensees to register their Taxpayer Identification Numbers (TINs) in ULS, and most licensees have completed this process.⁵ Licensees in the ULS Geographic Services who have not previously registered their TINs and selected user passwords in ULS must do so before filing applications or updating licensing information in the new system. **All applicants and licensees must submit their TINs with their applications regardless of whether they file electronically or manually.** The Bureau urges applicants and licensees to electronically register TINs. This can be done at the FCC's ULS Internet site at <http://www.fcc.gov/wtb/uls> by clicking on the "ULS Call Sign Registration" link.

Manual TIN registration requires FCC Form 606 (TIN Registration Form), which can be obtained from the Internet at <http://www.fcc.gov/formpage.html>, by calling the FCC's Form Distribution Center at 1-800-418-FORM (3676), or from the FCC's Fax-on-Demand service by calling (202) 418-0177 from the handset of a fax machine (follow the prompts and use document retrieval number 000606).

1998.

⁴ See <http://www.fcc.gov/wtb/uls>.

⁵ See "Wireless Telecommunications Bureau Universal Licensing System Registration Now Available," *Public Notice*, November 4, 1997.

To protect licensee privacy, registered TINs will not be made available to the public. However, TIN information may be released to the U.S. Treasury Department for purposes of compliance with the Debt Collection Act.

Manually-filed Form 606 should be mailed to:

Federal Communications Commission
Information Technology Division
Attention: Kathy McLucas
1270 Fairfield Road
Gettysburg, PA 17325-7245

Form 601 Filing Procedures

ULS will replace Forms 405, 489 and 600 with a single form -- Form 601 (OMB Approval Number 3060-0798) -- for all wireless geographically licensed services. Form 601 is designed for filing new applications, amendments, modifications, and requests for special temporary authority. It is also designed to be used to request a waiver or extension of time in conjunction with an application or license, and in lieu of Form 405 for renewal applications and Form 489 for notifications. Applicants and licensees in the ULS Geographic Services may continue to use existing forms until further notice, but we strongly urge applicants and licensees to use the new Form 601. Toward that end, the Bureau hereby waives its rules to the extent that they require the filing of Forms 600, 489, and 405 for ULS Geographic Services.⁶ This waiver is conditioned on the timely filing of Form 601 in lieu of the old forms. For instructions on filing Form 601 electronically, point your web browser to <http://www.fcc.gov/wtb/uls>. For instructions on filing form 601 manually, see **Attachment A**.

Applicants are advised that filing manually -- using new or old forms -- likely will delay processing in comparison to electronic filing of Form 601 because the FCC must enter manually-filed information into ULS. However, if an applicant is not yet prepared to file electronically, we recommend filing the new ULS forms manually, in lieu of the old forms. Additionally, applicants using non-ULS forms are reminded that they must include their TINs on the front of their applications so that the data can be entered into ULS, and that applications with errors will be dismissed without prejudice.

LMDS and 800 MHz Notification Requirements

⁶ Pending the effective date of the Report and Order, the Bureau waives Sections 24.406, 24.409, 24.413, 24.707, 24.806, 24.809, 27.304, and 27.324 of the Commission's rules to the extent that they require the filing of Form 600 for PCS and WCS applicants, Section 101.1015 of the Commission's rules to the extent that it requires the filing of Form 600 for LMDS applicants, and Sections 90.119, 90.135, 90.167, 90.963, and 90.1013 to the extent that they require the filing of Form 600 for SMR applicants. The Bureau further waives Sections 22.809, 24.409, 24.443, 24.444, 24.843 and 24.844 of the Commission's rules to the extent that they require the filing of Form 489, Sections 24.411, 24.811 and 27.306 to the extent that they require the filing of Form 405, and Section 90.119 to the extent that it requires the filing of Forms 405-A and 574-R.

In the *Report and Order*, the Commission revised Section 101.1009(b) of the Commission's rules, which requires LMDS auction winners to notify the Commission within 30 days of any construction or system changes in their licensed market area, and Section 90.683(a)(4), which requires 800 MHz SMR EA licensees to notify the Commission within 30 days of the completion of the addition, removal, relocation or modification of facilities within an EA. The revised rules do not require notifications to be filed with the Commission, so long as LMDS and SMR EA licensees maintain the required information in their station files and make it available upon request. Pending the effective date of the *Report and Order*, the Bureau waives the requirement that notifications be filed by LMDS and 800 MHz EA licensees.

Transfer and Assignment Filing Procedures

For ULS Geographic Service applicants and licensees, FCC Form 603 (Application for Assignment of Authorization, OMB Approval Number 3060-0800) and Form 604 (Application for Transfer of Control, OMB Approval Number 3060-0797)⁷ will be available in ULS as of September 23, 1998, in lieu of Forms 490, 702, and 704 to file applications for assignment of license or transfer of control. Additionally, licensees may consummate these transactions by filing an electronic notification via the ULS (Form 601, Schedule K). Again, while the use of old forms is permitted, the Commission strongly encourages applicants and licensees to use Forms 603 and 604 and to file these new forms electronically. However, if an applicant is not yet prepared to file electronically, we recommend filing the new ULS forms manually, in lieu of the old forms. Accordingly, the Bureau hereby waives the requirements of certain sections of its rules that mandate the manual filing of old forms.⁸ For instructions on electronic filing, go to <http://www.fcc.gov/wtb/uls>. For instructions on manual filing, see **Attachment A**.

Licensees in ULS Geographic Services who are filing notifications of *pro forma* assignments or transfers pursuant to the Commission's forbearance procedures may continue to use the letter notification procedures described in that order.⁹ In addition, starting September 23, 1998, licensees may provide such notification by filing Form 603 or Form 604, as appropriate, within 30 days of consummation of the *pro forma* assignment or transfer. Whether notification is by form or by letter, no fee will be required for submission of such notification.

If a transfer or assignment transaction involves licenses in a ULS Geographic Service and licenses in other wireless services that have not yet been converted to ULS, the applicant must file

⁷ The current OMB-approved versions of Form 603 and Form 604 may be used on an interim basis. In the *Report and Order*, the Commission has merged Forms 603 and 604 into a combined Form 603, which is being submitted to OMB for final approval. Therefore, Form 604 will be discontinued after the revised Form 603 is approved.

⁸ Pending the effective date of the Report and Order, the Bureau waives Sections 24.439, 24.839, 27.306, 27.324, 90.119, 90.153, and 101.15 of the Commission's rules to the extent that they require the filing of Form 490, 702, or 704 by ULS Geographic Licensees seeking approval of assignments or transfers.

⁹ Federal Communications Bar Association's Petition for Forbearance from Section 310(d) of the Communications Act Regarding Non-Substantial Assignments of Licenses and Transfers of Control Involving Telecommunications Carriers Licensed by the Wireless Telecommunications Bureau, *Memorandum Opinion and Order*, 13 FCC Rcd. 6293 (1998).

separate applications for ULS and non-ULS-based licenses, with the latter filed on existing forms.¹⁰ This requirement is temporary until the databases for all wireless services have been converted to ULS. In the interim, applicants who file transfer and assignment applications in ULS and non-ULS applications for a common transfer or assignment transaction are encouraged to contact the Bureau's Commercial Wireless Division (202-418-0620) or Public Safety & Private Wireless Division (717-338-2656), as appropriate, and ahead of time to coordinate the application and approval process.

Under the Commission's rules, an assignee or transferee of a common carrier license must file a report (FCC Form 430) qualifying it as a common carrier unless a current report is already on file with the Commission. In the *Report and Order*, the Commission has adopted new ULS Form 602 to replace Form 430 for collection of ownership information.¹¹ However, Form 602 remains subject to OMB approval and is not currently available. Therefore, common carrier assignees and transferees of ULS Geographic Services licenses should continue to file Form 430 with the Office of the Secretary in accordance with existing rules until further notice.

Partitioning and Disaggregation Applications

The Commission allows licensees in the ULS Geographic Services to partition and disaggregate their licenses. As a result of the conversion of these services to ULS, licensees will for the first time be able to file such partitioning and disaggregation requests electronically, using an interactive electronic interface specifically designed for partitioning and disaggregation applications. For partitioning, ULS scans the partition specifications, verifying that the defined areas or counties entered are valid for the market being partitioned. For disaggregation, the electronic system reviews the application prior to submission to ensure that the applicant entered frequency ranges that are valid for the radio service of the license being disaggregated. In both cases, ULS provides descriptive error messages when necessary to guide the applicant through the filing process.

Applicants who file electronically via ULS are not required to file Form 490, Form 600, or Form 702. These applicants need to file ULS Form 603 only. Also, applicants who file partitioning and disaggregation requests manually on Form 603 are not required to file Form 600. Under the Commission's rules for partitioning, a proposed partitioned licensing area may be based on county boundaries, FCC-defined market areas (e.g., MTAs, BTAs, or EAs), or boundaries established by the applicant, provided that in the latter case, the applicant specifies geographic coordinate points at every 3 seconds along the proposed partitioned area.¹² *Partitioning applications filed in ULS that do not specify the area(s) to be partitioned as prescribed by these rules (e.g., applications that propose to partition based on non-recognized*

¹⁰ For example, a licensee seeking to assign PCS licenses and cellular licenses may use Form 603 for the PCS licenses, but must file Form 490 for the cellular licenses because cellular has not yet been converted to ULS. Similarly, a licensee seeking to assign point-to-point microwave licenses must use Form 702.

¹¹ *ULS NPRM*, para. 45.

¹² See Sections 24.714, 27.15, 90.1019 and 101.1111 of the Commission's rules.

boundaries such as postal zip codes) will be dismissed without prejudice and returned to the applicant without being processed.

Where to Send Payments for Electronically-filed Applications

All payments for electronically-filed applications should be sent to:

Federal Communications Commission
ULS Electronic Filings
P.O. Box 358994
Pittsburg, PA 15251-5994

Where to Send Manually-filed Applications

[Note: Applicants are advised that filing manually -- using new or old forms -- likely will delay processing in comparison to electronic filing of ULS Forms because of the additional time required for the FCC to enter manually-filed information into ULS.

Additionally, applicants using non-ULS forms are reminded that they must include their TINs on the front of their applications so that the data can be entered into ULS, and that applications with errors will be dismissed without prejudice.]

All manually-filed applications **that require fees** should be sent to:

Federal Communications Commission
ULS Application Processing
P. O. Box 358130
Pittsburgh, PA 15251-5130

All manually-filed applications that do **not** require fees should be sent to:

Federal Communication Commission
ULS Application Processing
1270 Fairfield Road
Gettysburg, PA 17325-7245

For Further Information or Assistance

For general information about ULS, including answers to frequently asked questions regarding submitting applications, finding the status of pending applications, and searching the ULS database, the Commission recommends first consulting the ULS webpage at <http://www.fcc.gov/wtb/uls>. Those having specific questions not addressed on the webpage may contact Commission staff via phone or e-mail as described below.

FCC Technical Support Hotline: (202) 414-1250, or via e-mail at ulscomm@fcc.gov.

Contact the Technical Support Hotline about questions concerning computer access to ULS, TIN registration, uploading files, or submitting attachments in ULS. The hotline is available Monday through Friday, from 8 a.m. to 6 p.m. EST. In order to provide better service to ULS users and ensure the security of the electronic filing system, all calls to the hotline are recorded.

ULS Licensing Support: (202) 418-7ULS (418-7857), or via e-mail at bwoodwar@fcc.gov. Contact Licensing Support with questions about which application purpose(s) are appropriate for a particular filing, what information is being requested on a ULS Form or Schedule, or any other ULS-related licensing matter. ULS Licensing Support is available Monday through Friday, from 8:30 a.m. to 4 p.m. EST.

Comments on ULS should be sent via the Internet to: ulscomm@fcc.gov.