

Before the
Federal Communications Commission
Washington, D.C. 20554

In the matter of
WARREN C. HAVENS
SKYBRIDGE SPECTRUM FOUNDATION
VERDE SYSTEMS, LLC
And its predecessor in interest, TELESaurus
VPC, LLC
Applications for Waiver and/or Extension of the
Five and Ten Year Construction Deadlines
Applications for Renewal of 220 MHz Licenses
See Attachment A for Calls Signs and
Associated FCC File Nos.

Order

Adopted: May 31, 2012

Released: May 31, 2012

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

I. INTRODUCTION

1. In this order, we address numerous filings made by Warren C. Havens ("Warren Havens"), Telesaurus VPC, LLC ("Telesaurus"), Verde Systems, LLC ("Verde"), and Skybridge Spectrum Foundation ("Skybridge") regarding their 220 MHz licenses. We hereby grant Warren Havens' petition for reconsideration of the pending termination status of call sign WQHZ610 and consider the license status along with the other Skybridge Licenses herein. However, we deny: (1) the requests for extension of the

1 We note for the record that Warren Havens is the president of Verde, Telesaurus, and Skybridge and is a signatory to all of the applications addressed in this order. Where appropriate, we refer to filings, arguments, and assertions made by Warren Havens and his companies jointly as having been made by "Havens" or "Applicants." When referring to Warren Havens individually, we refer to him as "Warren Havens."

2 See Attachment A for a complete list of the 394 licenses, their associated call signs, the FCC file numbers of their associated applications, and their associated construction and renewal deadlines. Skybridge is the licensee for call signs WQHZ577-773 ("Skybridge Licenses"). Warren Havens is the licensee for call signs WPOI514-622, WPOI843, WPOJ290-306, WPOK862-869, WPOK871-889, WPOK893-900, and WPOK933. Verde is the licensee for call signs WPOK890-892 and WPOK901-926, and WPOK928-932 (these licenses were assigned from Telesaurus to Verde). Since, at different points in time with respect to the issues addressed in this order, Warren Havens filed jointly with Verde and Telesaurus and Warren Havens is the president of both companies, we refer to the licenses currently held by Warren Havens and Verde (previously, Telesaurus) collectively as the "Havens Licenses" except where reference to specific licenses or their respective licensees is necessary.

3 See FCC File No. 003208764 ("WQHZ610 Petition").

five and ten-year construction deadlines for the Havens Licenses;⁴ (2) the renewal applications for the Havens and Skybridge licenses;⁵ (3) the requests to consolidate all of the subject licenses under a single call sign;⁶ and (4) the requests for waiver or reduction of filing fees associated with these applications.⁷ Finally, we dismiss as moot the Petitions to Deny filed by Maritime Communications/Land Mobile, LLC (“Maritime”) and all subsequent responsive filings by Maritime and/or Havens.⁸ Accordingly, the Havens Licenses automatically terminated on November 5, 2007, the date of their first construction deadline, and the Skybridge Licenses automatically terminated on the date that each license expired.⁹

⁴ See Warren Havens and Telesaurus VPC LLC, *Petition to Waive or Extend the Five-Year Construction Requirement* (filed November 4, 2007) (“2007 Extension Request”); Warren Havens and Telesaurus VPC, *Supplement to Pending 220-222 MHz Extension Requests* (filed June 27, 2008) (“June 2008 Supplement”); Warren C. Havens Regional and EA Licenses, *Amendment of Pending 2007 Petition to Waive or Extend the Five-Year Construction Requirement and the Ten-Year Construction Requirement* (filed March 23, 2009) (“March 2009 Amended Extension Request”); Warren C. Havens and Verde Systems LLC, *Fee Waiver and Refund Request, Amendment to Pending Extension Request Due to Lack of FCC Decision On It, Request for One “Ten Year” Construction Deadline of October 7, 2015, and Supportive Showing for Amended Extension Request, Renewal Expectancy Showing for Renewal Applications for all the Subject Licenses* (filed October 7, 2009) (“Havens/Verde Extension and Renewal Applications”); Warren Havens, Verde Systems LLC, and Skybridge Spectrum Foundation, *Supplement to Extension and Renewal Applications* (filed September 23, 2010) (“September 2010 Supplement”) (See Attachment A for associated FCC file numbers).

⁵ See Skybridge Spectrum Foundation, *220 MHz Licenses: Renewal Applications* (filed March 23, 2009) (“Skybridge March 2009 Renewal Applications”); Skybridge Spectrum Foundation, *220 MHz Licenses: Renewal Applications* (filed October 6, 2009) (“Skybridge October 2009 Renewal Applications”) (See Attachment A for associated FCC file numbers) (Except where reference to a specific application is necessary, we refer to the Skybridge March 2009 Renewal Applications and the Skybridge October 2009 Renewal Applications collectively as the “Skybridge Renewal Applications”); Warren Havens, *220 MHz Licenses: Renewal Applications* (filed March 23, 2009) (“Havens March 2009 Renewal Applications”); Havens/Verde Extension and Renewal Applications; and September 2010 Supplement.

⁶ See 2007 Extension Request at 9.

⁷ See 2007 Extension Request at 10; Havens/Verde Extension and Renewal Applications at 2.

⁸ See Maritime Communications/Land Mobile LLC, *Petition to Deny* (filed November 6, 2009) (“Maritime Petition to Deny”); Maritime Communications/Land Mobile LLC, *Petition to Deny Fee Waiver Request* (filed November 6, 2009) (“Maritime Petition to Deny Fee Waiver”); Warren Havens, Verde Systems, LLC, and Skybridge Spectrum Foundation, *Opposition to Maritime Petition to Deny* (filed November 19, 2009) (“Opposition to Maritime Petition to Deny”); Maritime Communications/Land Mobile LLC, *Reply to Opposition to Petition to Deny* (filed November 25, 2009) (“Maritime Reply”); Warren Havens, Verde Systems, LLC, and Skybridge Spectrum Foundation, *Supplement to Applications and Opposition to Petition to Deny* (filed January 16, 2010) (“Havens January 2010 Supplement”); Warren Havens, Verde Systems, LLC, and Skybridge Spectrum Foundation, *Request to Accept Supplement to Applications and Opposition to Petition to Deny* (filed January 16, 2010) (“Havens Request to Accept January 2010 Supplement”); Maritime Communications/Land Mobile LLC, *Opposition to Request to Accept Supplement to Applications and Opposition to Petition to Deny* (filed January 28, 2010) (“Maritime Opposition to Havens Request to Accept Supplement”); Maritime Communications/Land Mobile LLC, *Opposition to Supplement to Applications and Opposition to Petition to Deny* (filed January 28, 2010) (“Maritime Opposition to Havens January 2010 Supplement”); Maritime Communications/Land Mobile LLC, *Petition to Deny Amended Application* (filed October 5, 2010) (erratum filed October 7, 2010) (“Maritime Petition to Deny Amended Applications”); Warren Havens, Verde Systems, LLC, and Skybridge Spectrum Foundation, *Opposition to Petition to Deny Amended Applications* (filed October 20, 2010) (“Havens Opposition to Petition to Deny Amended Applications”); Maritime Communications/Land Mobile LLC, *Reply to Opposition to Petition to Deny Amended Application* (filed October 5, 2010) (“Maritime Reply to Opposition to Petition to Deny Amended Applications”). All filings referenced in this note apply to FCC file numbers: 0003990344-379, 0003989107-176, 0003990398-431, 0003223118-153, and 0003223081-114. See Attachment A for associated call signs.

⁹ See Attachment A for applicable license expiration dates.

II. BACKGROUND

2. The Havens Licenses were originally granted in 1999 as part of Auction 24.¹⁰ Pursuant to Section 90.767 of the Commission's rules, an Economic Area ("EA") or Regional Economic Area Grouping ("REAG") 220 MHz licensee must construct a sufficient number of base stations for land mobile and/or paging operations to "provide coverage to at least one-third of the population of its EA or REAG within five years of the issuance of its initial license and at least two-thirds of the population of its EA or REAG within ten years of the issuance of its initial license."¹¹ Alternately, licensees may provide substantial service to their licensed area at the appropriate five-year and ten-year benchmarks.¹² Further, pursuant to Section 1.946(c), "[i]f a licensee fails to commence service or operations by the expiration of its construction period or to meet its coverage or substantial service obligations by the expiration of its coverage period, its authorization terminates automatically, without specific Commission action, on the date the construction or coverage period expires."¹³

3. On January 12, 2004, Warren Havens filed requests for extension or removal of the five-year construction deadline set forth in Section 90.767(a) of the Commission's rules¹⁴ for his 220 MHz licenses.¹⁵ Warren Havens argued, in part, that extension or waiver of the construction requirement was justified due to a lack of appropriate equipment available for use in the 220 MHz band.¹⁶ In response, on July 13, 2004, the Wireless Telecommunications Bureau ("Bureau") released a *Memorandum Opinion and Order* extending the five-year construction deadlines to November 5, 2007 for all Phase II¹⁷ EA and REAG 220 MHz licenses that had filed requests for extension or whose first construction deadline fell after the date of the order.¹⁸ The Bureau found that the public interest would be served by granting these 220 MHz licensees, including Warren Havens, this extension and that an additional three years would be sufficient time for the licensees to construct their systems using available or soon to be released equipment.¹⁹

4. On October 24, 2007, Warren Havens submitted applications to disaggregate a large portion of the spectrum in each of his 220 MHz licenses and assign it to Skybridge.²⁰ Telesaurus filed similar

¹⁰ See Phase II 220 MHz Spectrum Auction Closes, *Public Notice*, 14 FCC Rcd 11218 (July 1999). Some of the subject licenses were acquired by Havens in secondary market transactions after the close of Auction 24.

¹¹ 47 C.F.R. § 90.767(a). For consistency, we refer to this as the "construction requirement" or "construction deadline."

¹² *Id.*

¹³ 47 C.F.R. § 1.946(c).

¹⁴ 47 C.F.R. § 90.767(a).

¹⁵ See Warren Havens, Petition to Waive or Extend the Five-Year Construction Requirement: Partial Waiver of Section 90.767, with requests to apply to other Regional and EA Licenses (Jan. 12, 2004) ("2004 Extension Request").

¹⁶ 2004 Extension Request at 7-17.

¹⁷ See Amendment of Part 90 of the Commission's Rules to Provide for the Use of the 220-222 MHz Band by the Private Land Mobile Radio Service, *Third Report and Order*, 12 FCC Rcd 10943 (1997) ("*Third Report and Order*") (Establishing rules to govern the operation and licensing of the 220 MHz band, including the Phase II licenses.)

¹⁸ See Warren C. Havens, Bizcom USA, and Cornerstone SMR, *Memorandum Opinion and Order*, 19 FCC Rcd 12994 ¶ 19 (WTB-2004) ("*220 MHz Extension Order*").

¹⁹ *Id.* at ¶ 20.

²⁰ See FCC File No. 0003208764 disaggregating and assigning spectrum from call signs WPOI514-622, WPOI843, WPOJ290-306, WPOK862-864, WPOK866-869, WPOK871-877, WPOK879-889, and WPOK893-900, and

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applications on November 1, 2007.²¹ For each of the subject licenses, Warren Havens and Telesaurus maintained only a fraction of the original licensed spectrum.²² In addition, for each of the licenses, save for call sign WQHZ610, Warren Havens and Telesaurus indicated that the assignor would be responsible for meeting the construction deadlines set forth in Section 90.767 of the Commission's rules.²³ For call sign WQHZ610, Warren Havens indicated that the assignor and assignee would be jointly responsible for meeting the build-out deadlines.²⁴ Warren Havens subsequently claimed that the difference in the WQHZ610 application was an administrative error and asked the Bureau to modify the application for to render it consistent with the applications for the other call signs.²⁵

5. On November 4, 2007, Warren Havens and Telesaurus applied for waiver or further extension of the five-year construction deadline for their Licenses pursuant to Section 1.946(e) of the Commission's rules.²⁶ Warren Havens and Telesaurus advance several arguments in favor of their extension request, including that: (1) there is a continuing lack of 5 kHz trunked equipment for the 220 MHz band, hampering build-out capabilities; (2) that they have conducted extensive due diligence with respect to the use of Terrestrial Trunked Radio ("TETRA"), Digital Mobile Radio ("DMR"), and other Intelligent Transportation Systems ("ITS") for use in the 220 MHz band; (3) that the use of the Licenses for ITS in conjunction with 900 MHz LMS licenses held by Havens-affiliated entities constituted the best use of the spectrum; (4) that Warren Havens had acquired several of his Licenses in a bankruptcy proceeding that had not concluded until 2007; and (5) that the disaggregation of spectrum to Skybridge²⁷ constituted a donation for public interest uses.²⁸ In addition, Warren Havens and Telesaurus request that they each be granted a consolidated license for their 220 MHz holdings and that some or all of the fees associated with the Application be waived.²⁹ Warren Havens and Telesaurus also contend that the Application meets the extension standards set forth in Section 1.946(e)(1) of the Commission's rules³⁰ and the waiver standard set forth in Section 1.925 of the Commission's rules.³¹ However, they do not specifically plead the requisite elements of the waiver standard.³² On June 27, 2008, Warren Havens and Telesaurus filed a supplement to the 2007 Extension Request that purports to show the applicants' due diligence in seeking to obtain

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WQHZ610; FCC File No. 0003218561 disaggregating and assigning call sign WPOK933; and FCC File No.0003210896 disaggregating and assigning call signs WPOK865 and WPOK878.

²¹ See FCC File No. 0003218990 disaggregating and assigning spectrum from call signs WPOK891-892, WPOK901-908, WPOK910-925, and WPOK928-932; and FCC File No.0003218951 disaggregating and assigning spectrum from call signs WPOK890, WPOK909, and WPOK926. The applications in notes 19 and 20 are collectively referred to as the "Havens Disaggregation Applications."

²² This varies from license to license but, in many cases, the original licensee retained 20 percent or less of the spectrum in each license area.

²³ See Havens Disaggregation Applications, Schedule B.

²⁴ See FCC File No. 0003208764 .

²⁵ See WQHZ610 Petition at 1.

²⁶ See 47 C.F.R. § 1.946(e); 2007 Extension Request.

²⁷ See *supra*, paragraph 4.

²⁸ 2007 Extension Request at 5-9.

²⁹ *Id.* at 9-10.

³⁰ 47 C.F.R. § 1.946(e)(1).

³¹ See 47 C.F.R. § 1.925; 2007 Extension Request at 4 and 9.

³² *Id.* at 9 (The section titled "Section 1.946(e)(1) and Waiver Standards Met" states only that "[t]his is evident from the substance of this request.").

TETRA technology for use with their Licenses.³³

6. On March 23, 2009, Warren Havens filed renewal applications for his Licenses.³⁴ In these Renewal Applications, Warren Havens argues that he and his companies engaged in substantial due diligence to research and develop ITS technology and services for use in the 220 MHz band.³⁵ He also claims that, “[h]ad the FCC ruled on the 2007 Extension Request, and it was granted, then [he] could have proceeded with the needed further development of technology and equipment to construct the licenses...and constructed today or, at minimum would have been much further along in completing due diligence to obtain the advanced 220 MHz technology and equipment for the nationwide ITS wireless plan for which the Licenses are dedicated...”³⁶ He asserts that these showings, along with those set forth in the 2007 Extension Request and the March 2009 Amended Extension Request, are sufficient to satisfy the renewal and renewal expectancy requirements in Section 90.743³⁷ of the Commission’s Rules.³⁸

7. On the same day, Warren Havens also filed an amendment to his 2007 Extension Request.³⁹ In this Amended Extension Request, Warren Havens requests an extension of both the five and ten-year construction deadlines for his Licenses until March 23, 2015.⁴⁰ Warren Havens again claims that he has conducted substantial due diligence to obtain advanced wireless technology to put the 220 MHz spectrum to its highest and best use.⁴¹ He also restates, reiterates, and incorporates the arguments and assertions from his prior filings.⁴²

8. On March 23, 2009, Skybridge also filed renewal applications for several of its Licenses.⁴³ Skybridge claims that, pursuant to the earlier disaggregation and assignment action, its licenses do not include construction requirements.⁴⁴ As a result, according to Skybridge, it “had and has no substantial service obligation, and thus has no substantial service showing to make.”⁴⁵ Skybridge asserts that it “is using all of the subject Licenses in active research and development, and thereafter deployment, of advanced wireless for the nation’s Intelligent Transportation Systems (‘ITS’) and associated smart critical infrastructure and environment-resource monitoring and protection...”⁴⁶ However, Skybridge does not claim to have built any facilities or provided any actual service in its license areas. Skybridge also references the Havens March 2009 Renewal Applications in support of its claims.⁴⁷ Skybridge filed a similar renewal application for its remaining licenses on October 6, 2009, which referenced and incorporated the Skybridge March 2009 Renewal Applications and provided additional information

³³ See June 2008 Supplement.

³⁴ See Havens March 2009 Renewal Applications.

³⁵ *Id.* at 2-4 and Attachments 1-3.

³⁶ *Id.* at 1.

³⁷ 47 C.F.R. § 90.743; *see infra*, Section III(C).

³⁸ See Havens March 2009 Renewal Applications at 4.

³⁹ See March 2009 Amended Extension Request.

⁴⁰ *Id.* at 2.

⁴¹ *Id.* at 4.

⁴² *Id.* at 2-3.

⁴³ See Skybridge March 2009 Renewal Applications.

⁴⁴ *Id.* at 1.

⁴⁵ *Id.* at 1.

⁴⁶ *Id.* at 1.

⁴⁷ *Id.* at 2.

regarding its plans to provide ITS, and specifically Network-RTK (“N-RTK”), services over its 220 MHz spectrum.⁴⁸

9. On October 7, 2009, Warren Havens and Verde filed a joint application to: (1) renew all of the Havens and Verde Licenses that were not included in the Havens March 2009 Renewal Applications; (2) amend and supplement the 2007 Extension Request for those Licenses that were not included in the Havens March 2009 Extension Request; and (3) obtain waivers of the fees associated with the renewal and extension filings.⁴⁹ This Application restates and incorporates many of the renewal and extension showings made in the prior filings of Warren Havens, Verde, and Skybridge.⁵⁰ In addition, Warren Havens and Verde argue that they have “demonstrated important research and developments to put the spectrum to the highest and best use... with a focus... in support of N-RTK which is one of the most important new forms of wireless for the nation.”⁵¹ They also contend that the Applications meet the waiver standard set forth in Section 1.925 of the Commission’s rules⁵² because: (1) the future use of the licenses will be the highest and best use; (2) the licenses will be used by a nonprofit corporation that is legally required to use the licenses in direct support of government agency needs and other public interest purposes; (3) until recently, no commercially viable equipment was available for the subject spectrum and the equipment available now will require modification into N-RTK GNSS receivers; and (4) application of the construction deadline will frustrate the purpose of the rule.⁵³ Warren Havens and Verde argue that even though they have requested several construction deadline extensions, the amended Applications should be granted for “entirely clear public interest reasons” in that the spectrum at issue “will, at last, be put to an excellent purpose – one that did not exist until recently.”⁵⁴ However, Warren Havens and Verde do not claim that they are providing service, substantial or otherwise, within their respective license areas. On September 23, 2010, Warren Havens, Verde, and Skybridge filed a further supplement to their Extension and Renewal Applications to “demonstrate major additional due diligence and otherwise to support the previous requests for either extension or renewal as clearly in the public interest to grant.”⁵⁵

10. On November 6, 2009, Maritime filed Petitions to Deny the Havens/Verde Extension and Renewal Applications, the Skybridge October 2009 Renewal Applications, and the associated request for a fee waiver.⁵⁶ Maritime asserts that these Applications are procedurally defective and were filed improperly. Further, Maritime argues that Commission precedent compels denial of the applications and that Skybridge has not made its case for renewal.⁵⁷ Maritime also questions Warren Havens’ candor based on his actions in other dockets.⁵⁸

11. On November 19, 2009, Warren Havens, Verde, and Skybridge filed an Opposition to

⁴⁸ See Skybridge October 2009 Renewal Applications.

⁴⁹ See Havens/Verde Extension and Renewal Applications.

⁵⁰ *Id.*

⁵¹ *Id.* at 8.

⁵² 47 C.F.R. § 1.925.

⁵³ *Id.*

⁵⁴ *Id.* at 9.

⁵⁵ See September 2010 Supplement at 1-2.

⁵⁶ See Maritime Petition to Deny and Maritime Petition to Deny Fee Waiver.

⁵⁷ See Maritime Petition to Deny at 2-11.

⁵⁸ *Id.* at 11-14.

Maritime's Petition to Deny.⁵⁹ Havens contends that Maritime: (1) lacked standing to bring its Petition to Deny; (2) that the Petition to Deny was an impermissible "strike petition"; (3) and that the Petition contains numerous other procedural defects.⁶⁰ Havens also counters Maritime's arguments regarding the validity of the Havens/Verde Extension and Renewal Requests.⁶¹ Maritime filed a Reply to the Opposition on November 25, 2009.⁶²

12. On January 16, 2010, Warren Havens, Verde, and Skybridge submitted a supplement to the Applications and the Opposition.⁶³ In the Supplement, the Applicants again assert that N-RTK is the highest and best use of the subject spectrum and present evidence of their ongoing diligence to obtain the requisite technology and approvals to deploy N-RTK across the Havens and Skybridge Licenses.⁶⁴ On January 28, 2010, Maritime filed Oppositions to the January 2010 Supplement and the Request to Accept the January 2010 Supplement.⁶⁵ Subsequently, on October 5, 2010, Maritime filed a Petition to Deny the Amended Applications, contending that the amendments "provided no information even to suggest that he [Havens] had constructed any facility during the ten years that he held the licenses..."⁶⁶ Warren Havens, Verde, and Skybridge filed an Opposition to this Petition to Deny on October 20, 2010⁶⁷ and Maritime submitted a Reply on November 1, 2010.⁶⁸

III. DISCUSSION

13. After careful review of the record and considering all of the relevant circumstances, we grant Warren Havens' petition for reconsideration of the pending termination status of call sign WQHZ610. We deny: (1) the Extension and Renewal Applications filed by Warren Havens, Verde, and Skybridge for all of their 220 MHz Licenses, including WQHZ610; (2) the requests for waivers of filing fees associated with the subject applications; and (3) the requests for consolidation of the subject licenses under a single call sign for each licensee. We also dismiss as moot the Petitions to Deny filed by Maritime as well as all subsequent responsive filings by Maritime or Havens.

A. Treatment of WQHZ610

14. License WQHZ610 was assigned to Skybridge, along with 196 other licenses, pursuant to the Havens Disaggregation Applications.⁶⁹ For the other licenses, Warren Havens selected "Disaggregation Option 1," which kept the construction requirement with the original licenses. However, for WQHZ610, Warren Havens selected "Disaggregation Option 3," which assigned the construction requirement jointly between the original license and the new Skybridge license. Neither Skybridge nor Warren Havens filed a

⁵⁹ See Opposition to Maritime Petition to Deny. All citations are to the errata version of the Opposition, which was filed on November 20, 2009.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² See Maritime Reply.

⁶³ Havens January 2010 Supplement and Havens Request to Accept January 2010 Supplement.

⁶⁴ *Id.* at 5-7.

⁶⁵ See Maritime Opposition to Havens January 2010 Supplement and Maritime Opposition to Havens Request to Accept Supplement.

⁶⁶ Maritime Petition to Deny Amended Applications at 2.

⁶⁷ See Havens Opposition to Petition to Deny Amended Application.

⁶⁸ See Maritime Reply to Opposition to Petition to Deny Amended Application.

⁶⁹ See Havens Disaggregation Applications; WQHZ610 Petition at 1.

timely construction notification and, as a result, WQHZ610 was automatically placed in “termination pending” status and a notification was issued to this effect.⁷⁰ Warren Havens and Skybridge subsequently filed the Petition for Reconsideration, asserting that “[i]t was not the intent or per the agreement of Petitioners, but a mistake due to simple oversight to have listed Disaggregation Option #3 for the License on the Application” and asked the Bureau to return the license to active status.⁷¹

15. We find that Warren Havens and Skybridge have provided sufficient evidence to demonstrate that the selection of Disaggregation Option Number 3 for license WQHZ610 was due to an inadvertent oversight by the parties. Accordingly, we grant the parties’ request to treat the license as if Disaggregation Option 1 had been selected. As a result, license WQHZ610 is considered along with the rest of the Skybridge licenses in the remainder of this *Order*, and automatically terminated along with the other Skybridge Licenses for the reasons set forth in Section III(D) below.

B. Extension of the Construction Deadlines

16. Under Section 1.946(e) of the Commission’s rules, an extension of time to complete construction “may be granted if the licensee shows that the failure to meet the construction or coverage deadline is due to involuntary loss of site or other causes beyond its control.”⁷² Section 1.946 also lists specific circumstances where extension requests will not be granted, including delays caused by a failure to obtain financing, because the license undergoes a transfer of control, or because the licensee fails to order equipment in a timely manner.⁷³ The applicable extension standard must be considered in conjunction with Section 309(j) of the Communications Act, as amended, which states that the Commission shall include performance requirements to ensure prompt delivery of services, to prevent stockpiling and warehousing of spectrum by licensees, and to promote investment and deployment of new technologies and services.⁷⁴

17. As noted above, in the 2007 Extension Request, Warren Havens and Telesaurus claim that “there is no equipment produced and supported by an equipment vendor that is available for construction and operation of the [s]ubject [l]icenses for their intended primary trunked-system purpose on their 5 kHz-wide channels, and this lack of equipment is beyond the control of the [l]icensees....”⁷⁵ Warren Havens and Telesaurus also ask the Bureau to give special consideration to the fact that: (1) they acquired several of their licenses in a bankruptcy proceeding; (2) that they have donated a significant amount of spectrum to public interest causes (in the form of the licenses assigned and disaggregated to Skybridge); and (3) they, along with their affiliates, have engaged in extensive “due diligence” to develop ITS services for use on the 220 MHz band, which they believe is the best use of the band.⁷⁶ However, the Applicants have voluntarily chosen not to construct facilities within their license areas, nor have they provided concrete near term plans to provide actual service in those areas.⁷⁷ Therefore, we find that the arguments raised by

⁷⁰ See Notice of Termination Pending Status for Call Sign WQHZ610 (sent December 12, 2007); see also Havens Disaggregation Applications; WQHZ610 Petition at 1.

⁷¹ WQHZ610 Petition at 1.

⁷² See 47 C.F.R. § 1.946(e).

⁷³ See 47 C.F.R. § 1.946(e)(2)-(3).

⁷⁴ See 47 U.S.C § 309(j)(4)(B).

⁷⁵ 2007 Extension Request at 4.

⁷⁶ *Id.* at 5-9 and Attachments.

⁷⁷ The Applicants’ lack of a concrete plan for their Licenses is further demonstrated by the shifting and seemingly contradictory nature of their plans for the spectrum and justifications for seeking an extension of the construction deadline. In the 2004 Extension Request, Warren Havens claims that an extension is warranted primarily because of the lack of 5 kHz trunked equipment available for use in the 220 MHz spectrum band. See 2004 Extension Request

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the Applicants do not justify further extension of the construction deadlines for the Havens Licenses. Indeed, we believe that granting the Extension Request would undermine the fundamental goals of the Commission's performance requirements, specifically the promotion and rapid deployment of services to the public and the prevention of spectrum warehousing.

18. As an initial matter, we find that equipment was readily available for use in the 220 MHz band prior to the construction deadlines. In the 220 MHz Extension Order, the Bureau noted that there were several factors that would allow 220 MHz licensees to effectively develop and use their licenses in the near term, prior to the extended deadline.⁷⁸ Specifically, the Bureau cited to comments in the record that indicated that: (1) new digital equipment could be made available in the near term; (2) licensees were aggregating multiple 5 kHz channels to utilize 12.5 kHz equipment that was already available in the band; and (3) that the flexibility provided in the 1997 restructuring of the 220 MHz service rules would allow licensees to take advantage of a wide variety of new uses of the band, including fixed data applications.⁷⁹ Indeed, a search of the Commission's equipment authorization database reveals that numerous pieces of equipment were made available for use by 220 MHz licensees prior to the construction deadlines for the Havens Licenses.⁸⁰ Moreover, between 2004 and 2007, several 220 MHz licensees took advantage of the relief granted by the Bureau to meet their construction requirements and begin offering service in their license areas.⁸¹ However, despite the availability of equipment, the Applicants opted not to meet their construction obligations and instead chose to pursue technology and services for which equipment was not available.

19. We have consistently found that voluntary business decisions are not circumstances beyond the licensee's control within the meaning of Section 1.946 and, as such, do not constitute a valid basis for regulatory relief.⁸² In addition, prior to the 220 MHz auctions, the Commission stated that:

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at 7-17. In the 2007 Extension Request, Warren Havens and Telesaurus assert that an extension should be granted based on the unavailability of 5 kHz equipment, but also claim that they have performed substantial due diligence to remove obstacles hindering the use of TETRA (25 kHz channels) and/or DRM (12.5 kHz channels) technologies. They assert that these technologies constitute the best use of the 220 MHz spectrum. *See* 2007 Extension Request at 8 and Exhibits. The June 2008 Supplement is entirely dedicated to detailing Warren Havens and Telesaurus's efforts to develop and obtain TETRA technology and equipment for use in the 220 MHz spectrum. They make no mention of 5 kHz trunked equipment whatsoever. *See* June 2008 Supplement at 1-3 and Exhibits. In the March 2009 Amended Extension Request and the Havens/Verde Extension and Renewal Applications, Warren Havens and Verde again alter their plans by seeking until 2015 to meet their five and ten-year construction obligations and introducing a proposal to support "Network RTK ('N-RTK') nationwide for government agencies, ITS public safety and emergency response operations, and many other critical industries and operations." *See* March 2009 Amended Extension Request at 5 and Havens/Verde Extension and Renewal Applications at 8-9.

⁷⁸ *See* 220 MHz Extension Order at ¶¶ 16-18.

⁷⁹ *Id.*; *see also* Third Report and Order.

⁸⁰ Equipment authorization search for the 220-22 MHz band can be performed at: <https://apps.fcc.gov/oetcf/eas/reports/genericsearch.cfm>.

⁸¹ *See, e.g.*, Coverage Notifications of Data Radio Management Co, Inc. for Call Signs WPOK830, WPOK831, and WPOK834 (filed October 7, 2009); Coverage Notifications of ESP Wireless Technology Group for Call Signs WPOJ377 and WPOJ389 (filed April 13, 2009); Coverage Notifications of Communications Specialists Inc. for Call Signs WPOI493, WPOI494, WPOI495, WPOI496, WPOI497 (filed January 6, 2009).

⁸² *See, e.g.*, Redwood Wireless Minnesota, LLC, *Order*, 17 FCC Rcd 22416 (WTB-CWD 2002) (construction delays resulting from business disputes were exercise of business judgment and were not outside Petitioner's control); Eldorado Communications LLC, *Order*, 17 FCC Rcd 24613 (WTB-CWD 2002) (licensee's determination to initially deploy TDMA system and subsequently to adopt GSM with months remaining before construction deadline was business decision within its control); Bristol MAS Partners, *Order*, 14 FCC Rcd 5007 (WTB-PSPWD 1999)

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[t]he Commission makes no warranties about the use of this spectrum for particular services. Applicants should be aware that a Commission auction represents an opportunity to become a Commission licensee in this service, subject to certain conditions and regulations. A Commission auction does not constitute an endorsement by the Commission of any particular services, technologies, or products, nor does a Commission license constitute a guarantee of business success. Applicants should perform their individual due diligence before proceeding as they would with any new business venture.⁸³

Thus, auction participants received clear notice that they would be expected to meet the construction requirements set forth in the Commission's rules, regardless of the business plans or strategies they ultimately chose to pursue.

20. Rather than taking advantage of the regulatory relief granted by the Commission and the expanded equipment options in the 220 MHz band to provide actual service to the public, the Applicants made a voluntary business decision to pursue alternate technologies and rely on continued extensions of the construction deadlines. While the Applicants may have desired to provide ITS services within their license areas, the unavailability of the specific type of equipment required to support their chosen business model does not constitute valid grounds for an extension under the Commission's rules. In addition, Applicants' claimed "due diligence" regarding the future use of ITS, TETRA, and N-RTK services is irrelevant because no material progress was made towards actual construction or provision of services. While licensees are free to investigate, invest in, and pursue a wide range of technologies and service options, regulatory compliance is ultimately demonstrated by material accomplishments in the use of the spectrum resource to provide service. If granted, the extensions would result in a significant portion of the 220 MHz band remaining fallow across the country for a period of as much as 16 years entirely due to Applicants' voluntary decision to pursue alternate technologies instead of deploying viable, existing equipment within their license areas. Accordingly, we find that: (1) Applicants have not provided actual service in their license areas; (2) this failure was not caused by circumstances beyond their control; (3) the claimed due diligence, conceptual plans, or other factors described in Applicants' filings do not support a further extension of the construction deadline; (4) Applicants have presented no compelling precedent or evidence to support their request for special considerations based on their donation of spectrum to Skybridge or their acquisition of certain 220 MHz licenses during a bankruptcy proceeding; and (5) allowing Warren Havens and Verde to continue to hold these licenses without constructing facilities or providing any actual service would undermine the purpose of the Commission's rules and Section 309(j) of the Communications Act.⁸⁴

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(equipment installation or delivery not delayed for some unique reason and licensee failing to obtain equipment was business decision); AAT Electronics Corporation, 93 FCC 2d 1034 (1983) (decision not to market service aggressively because of equipment uncertainties is within licensee's control); Business Radio Communications Systems, Inc., 102 FCC 2d 714 (1985) (construction delay caused by zoning challenge not a circumstance beyond licensee's control); Texas Two-Way, Inc., 98 FCC 2d 1300 (1984), *aff'd sub nom.*, *Texas Two-Way, Inc. v. FCC*, 762 F.2d 138 (D.C. Cir. 1985) (licensee is responsible for delay resulting from interference caused by construction adjacent to construction site because site selection was an independent business decision); Letter dated May 6, 2011 from Thomas Derenge, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, to Dean S. Kozel, Longhorn Communications Inc., 26 FCC Rcd 6716 (WTB-MD 2011); Letter dated June 26, 2009 from Roger S. Noel, Chief, Mobility Division, Wireless Telecommunications Bureau to David G. Boyle, 24 FCC Rcd 8600 (WTB-MD 2009).

⁸³ *Third Report and Order* at ¶ 19.

⁸⁴ See Letter dated May 6, 2011 from Thomas Derenge, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, to Dean S. Kozel, Longhorn Communications Inc., 26 FCC Rcd 6716 (WTB-MD 2011) (finding that an extension request based on the licensee's pursuit of alternate business plans could undercut

(continued...)

21. We note that these findings are consistent with our treatment of other 220 MHz licensees that sought additional relief from their construction deadlines after the release of the 220 MHz Extension Order. In these cases, we denied licensees' requests for further extensions based largely on the fact that viable equipment was available and that other licensees had effectively used that equipment to meet their construction requirements and begin providing service within their license areas.⁸⁵ Our findings are also consistent with our treatment of similarly situated licensees in the 218-219 MHz service band.⁸⁶

C. Waiver of the Construction Deadlines

22. Under Section 1.925 of the Commission's rules, a waiver may be granted if the petitioner establishes either that: (1) the underlying purpose of the rule would not be served or would be frustrated by application to the instant case, and that grant of the waiver would be in the public interest; or (2) where the petitioner establishes unique or unusual factual circumstances, application of the rule would be inequitable, unduly burdensome, or contrary to the public interest, or the applicant has no reasonable alternative.⁸⁷

23. In the 2007 Extension Request, Warren Havens and Telesaurus assert that they are entitled to a waiver of the construction requirements for the Havens Licenses. However, they do not specifically plead the elements required for a waiver under Section 1.925 and instead claim that satisfaction of the waiver standards "is evident from the substance of this request."⁸⁸ Later, in the Havens/Verde Extension and Renewal Applications, the Applicants argue they are entitled to a waiver of the construction requirements since: (1) the future use of the licenses will be the highest and best use; (2) the licenses will be used by a nonprofit corporation that is legally required to use the licenses in direct support of government agency needs and other public interest purposes; (3) until recently, no commercially viable equipment was available for the subject spectrum and the equipment available now will require modification into N-RTK GNSS receivers; and (4) application of the construction deadline will frustrate the underlying purpose of the construction requirements.⁸⁹

24. After review of the Applicants' Extension Requests, as well as all relevant amendments and supplements, we find that waivers of the five and ten-year construction deadlines would not serve the underlying purpose of the construction rules or the public interest. As detailed in Section III(B) of this order, the Applicants made a voluntary business decision to pursue technologies and business strategies that were unsupported by the existing equipment ecosystem and we do not typically grant licensees relief

(...continued from previous page)

the public interest if it is not supported by evidence that such business plans could be accomplished in the near term).

⁸⁵ See, e.g., Letter dated June 26, 2009, from Roger S. Noel, Chief, Mobility Division, Wireless Telecommunications Bureau, to Nancy J. Douglas, Douglas SMR Works, Inc., 24 FCC Rcd 8596 (WTB-MD 2009); Letter dated June 26, 2009, from Roger S. Noel, Chief, Mobility Division, Wireless Telecommunications Bureau, to Robert LaRue, Know LaRue Separate Property Trust, 24 FCC Rcd 8621 (WTB-MD 2009); Letter dated June 26, 2009, from Roger S. Noel, Chief, Mobility Division, Wireless Telecommunications Bureau, to Kansas City Wireless Partners, LLP, 24 FCC Rcd 8625 (WTB-MD 2009); Letter dated June 26, 2009, from Roger S. Noel, Chief, Mobility Division, Wireless Telecommunications Bureau, to David G. Boyle, 24 FCC Rcd 8600 (WTB-MD 2009).

⁸⁶ See, e.g., Letter dated May 31, 2005 from Katherine M. Harris, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, to Buddy C. Stanley, ITV, Inc., 20 FCC Rcd 9548, *recon den.*, Application of ITV, Inc., *Memorandum Opinion and Order*, 22 FCC Rcd 1908 (WTB-CWD 2007); Letter dated January 31, 2007, from Thomas P. Derenge, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, to Stephen E. Coran, Esquire, Counsel for U.S. Telemetry, 22 FCC Rcd 1921 (WTB-MD 2007).

⁸⁷ 47 C.F.R. § 1.925.

⁸⁸ See 2007 Extension Request at 9.

⁸⁹ See Havens/Verde Extension and Renewal Application at 8-9.

from their construction requirements for the consequences of voluntary business decisions. Moreover, the Applicants have not provided evidence that their shifting plans for the use of his 220 MHz licenses would lead to the near term use of the spectrum in question.⁹⁰ Thus, we do not believe that the Applicants have presented convincing evidence that enforcement of the construction deadline would frustrate the purpose of the rule or be otherwise inequitable, unduly burdensome, or contrary to the public interest. Indeed, the very purpose of the Commission's performance requirements is to ensure the prompt delivery of wireless services over licensed spectrum and to prevent spectrum warehousing.⁹¹ We also find that the Applicants' business plan does not warrant a waiver of the construction obligation on public interest grounds, despite their avowed pursuit of the "highest and best" use of the spectrum. To the contrary, we find that granting the Applicants' waiver request would harm the public interest since it would run counter to established Commission precedent and could encourage other present and future licensees to voluntarily pursue regulatory relief instead of providing actual service in their license areas.

25. Therefore, for the reasons set forth above, the 2007 Extension Requests, as well as all amendments and supplements thereto, are denied and the Havens Licenses automatically terminated on November 5, 2007.⁹²

D. Renewal for Skybridge Licenses

26. Section 90.743 of the Commission's rules requires 220 MHz licensees seeking renewal to demonstrate that they have "provided 'substantial' service during their past license term."⁹³ For purposes of this rule, "substantial service" is defined as "service that is sound, favorable, and substantially above a level of mediocre service that just might minimally warrant renewal."⁹⁴

27. In its Renewal Applications, Skybridge claims that, since it acquired its licenses via disaggregation and assignment from Warren Havens and Verde and the construction obligations remained with the Havens Licenses,⁹⁵ it is not required to make a substantial service showing to obtain a renewal under Section 90.743.⁹⁶ Under Section 90.1019(d)(2) of the Commission's rules, 220 MHz licensees are permitted to disaggregate spectrum so long as they "certify in FCC Form 601 which of the parties will be responsible for meeting the five-year and ten-year construction requirements for the particular market..."⁹⁷ In establishing this rule, the Commission stated that:

Consistent with other wireless services, we will allow the parties to the assignment agreement involving a covered Phase II license to negotiate and choose who will be responsible for satisfying the Commission's *construction requirements*...the parties involved [in an assignment agreement] should have the flexibility to determine their respective responsibilities for satisfying the Commission's *construction requirements*...[i]f one party takes responsibility for meeting the *construction requirement* and later fails to do so, that party's license will be subject to forfeiture,

⁹⁰ See *supra* Section III(B).

⁹¹ See 47 U.S.C. § 309(j)(4)(B).

⁹² See 47 C.F.R. §§ 90.767(c); 90.1019(d)(2).

⁹³ 47 C.F.R. § 90.743(a)(1).

⁹⁴ *Id.*

⁹⁵ See Havens Disaggregation Applications.

⁹⁶ See Skybridge March 2009 Renewal Applications at 1; Skybridge October 2009 Renewal Applications at 1.

⁹⁷ 47 C.F.R. § 90.1019(d)(2).

but the other party's license will not be affected [emphasis added].⁹⁸

However, this flexibility is clearly limited to “construction requirements.” The Commission also noted that “if one party (generally the original licensee) certifies that it will meet all future construction requirements, the other party need only demonstrate that it is providing ‘substantial service’ for its remaining license.”⁹⁹ At no point does the Commission indicate that an assignee may be absolved from having to demonstrate that it meets the renewal standard under Section 90.743(a), including the requirement to provide substantial service within its license area.¹⁰⁰

28. We find that Skybridge has failed to demonstrate that it has met its license renewal requirements for any of its licensees. Skybridge does not establish that it is providing any type of service with its licenses, much less a level of service that would satisfy the substantial service standard.¹⁰¹ Instead, Skybridge claims that it is using all of its Licenses for the active research and development of ITS systems and has not provided service to any of its license areas.¹⁰² Skybridge also claims that it has acquired a large endowment for charitable purposes and that it intends to use its Licenses towards the public interest, including providing N-RTK services at no charge.¹⁰³ We find these factors unpersuasive because substantial service is a results-oriented requirement that mandates the provision of actual service within a license area during the applicable period (*i.e.* the license term).¹⁰⁴ Indeed, we have previously found that a licensee's plans for future construction and services are not sufficient to establish that said licensee has met its substantial service obligation.¹⁰⁵ Therefore, Skybridge's claimed “due diligence” and research regarding ITS is not sufficient to satisfy the substantial service standard set forth in Section 90.743.

29. Moreover, Section 309(j) of the Communications Act makes it clear that the purpose of performance requirements for licenses acquired via competitive bidding is to “ensure prompt delivery of service to rural areas, to prevent stockpiling or warehousing of spectrum by licensees or permittees, and to promote investment in and rapid deployment of new technologies and services.”¹⁰⁶ At the end of its 10 year license term, Skybridge has not demonstrated that it is providing a meaningful service that meets the definition of substantial service or the underlying purpose of the Commission's performance requirements (which include substantial service requirements). Interestingly, Skybridge goes so far as to argue that, due to its chosen disaggregation option, it has no affirmative obligation to construct its licenses at all.¹⁰⁷ Such a finding would contradict the Commission's stated goals in establishing the disaggregation and partition rules for the 220 MHz band as well as established precedent. Moreover, it would undermine the

⁹⁸ Amendment of Part 90 of the Commission's Rules to Provide for the Use of the 220-222MHz Band by the Private Land Mobile Radio Service, *Fifth Report and Order*, 13 FCC Rcd 24615, 24633 at ¶ 24 (1998).

⁹⁹ *Id.*

¹⁰⁰ *See* 47 C.F.R. § 90.743(a).

¹⁰¹ *See* 47 C.F.R. § 90.743(a)(1).

¹⁰² *See* Skybridge March 2009 Renewal Application at 1.

¹⁰³ *See id.* and Havens/Verde Extension and Renewal Applications at 7.

¹⁰⁴ *See, e.g.*, Scott D. Reiter, Demonstration of Substantial Service for PCS Station WPTB505, *Order*, 25 FCC Rcd 3974 (2010); Chasetel Licensee Corp., Request for Extension of Broadband PCS Construction Requirements and Construction Notification for Call Sign KNL468 in Middlesboro-Harlan, KY BTA, *Order*, 17 FCC Rcd 9351 (2002).

¹⁰⁵ *See, e.g.*, Letter from Thomas Derenge, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, to Scott D. Reiter, Substantial Service Showing for WPTB505, 22 FCC Rcd 8635 (WTB-2007) at 3 (FCC File No. 0002727118).

¹⁰⁶ 47 U.S.C. § 309(j)(4)(B).

¹⁰⁷ Skybridge March 2009 Renewal Applications at 1.

Commission's public interest goals and effectively negate the purpose of its renewal requirements, essentially allowing speculators to obtain the public resource of spectrum and hold onto it forever without putting it to use in the public interest. Accordingly, we find that Skybridge has not met the requirements for renewal for its Licenses and, as a result, those Licenses automatically terminated at the end of their terms.¹⁰⁸

E. Call Sign Consolidation

30. We deny the requests of Havens, Verde, and Skybridge to have their Licenses consolidated under a single call sign for each party.¹⁰⁹ These requests are moot since all of the affected Licenses have automatically terminated pursuant to this order. Thus, it is not necessary to consider the merits of these requests.

F. Fee Waiver

31. We deny the requests of Havens, Verde, and Skybridge for waiver of fees associated with their applications.¹¹⁰ The Petitioners do not provide sufficient evidence or legal authority for their request. We therefore find that there is no compelling reason to support such a waiver, particularly given that all of the associated applications filed by the parties have been denied in this order.

G. Issues Raised by Maritime's Petition to Deny and Subsequent Filings

32. Maritime raised several issues related to a subset of the Havens Renewal and Extension Applications in its Petition to Deny and Petition to Deny Fee Waiver.¹¹¹ However, since we reached our conclusions regarding the disposition of the Havens Extension and Renewal Applications and the Skybridge Renewal Applications independently, we hereby dismiss the Maritime Petition to Deny, the Maritime Petition to Deny Fee Waiver, the Opposition to the Petition to Deny, and all other Maritime filings referenced above as moot.

IV. CONCLUSION

33. For the reasons set forth above, all of the Renewal Applications and Extension Requests filed by Warren Havens, Telesaurus, Verde and Skybridge are hereby denied.

V. ORDERING CLAUSES

34. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131, 0.331, 1.925 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 1.925, that Havens and Skybridge's request to consider License WQHZ610 along with the other Skybridge Licenses, IS HEREBY GRANTED.

35. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131, 0.331, 1.925, 1.946(c) and (e), 1.955(a)(2), and 90.767 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 1.925, 1.946(c), 1.946(e), 1.955(a)(2), and 90.767 that the 2007 Extension Requests (including all Supplements and Amendments) for the Havens Licenses,

¹⁰⁸ We note for the record that we do not address the Havens Renewal Applications in this section since those applications are rendered moot by our findings above. However, since the Applicants failed to demonstrate "substantial service" in his Renewal Applications, they would also be denied for the reasons set forth in this section.

¹⁰⁹ See 2007 Extension Request at 1; March 2009 Amended Extension Request at 3.

¹¹⁰ See Havens November 2007 Extension Request at 10; Havens/Verde Extension and Renewal Applications at 2.

¹¹¹ See Maritime Petition to Deny; Maritime Petition to Deny Fee Waiver.

ARE HEREBY DENIED. Accordingly, all Havens Licenses, as outlined in Appendix A, TERMINATED AUTOMATICALLY ON NOVEMBER 5, 2007.

36. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131, 0.331, 1.949, 1.955 and 90.743 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 1.949, 1.955 and 90.743 that the Skybridge Renewal Applications, ARE HEREBY DENIED. Accordingly, all Skybridge licenses outlined in Appendix A TERMINATED AUTOMATICALLY AT THE END OF THEIR INITIAL LICENSE TERM.

37. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131, 0.331, 1.949, and 90.743 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 1.949, and 90.743 that the Havens Renewal Applications, ARE HEREBY DISMISSED AS MOOT.

38. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131, 0.331, 1.925 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 1.925, that Havens' and Skybridge's requests for waiver of certain fees associated with their applications and license consolidation request ARE HEREBY DENIED.

39. IT IS FURTHER ORDERED, pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, that the Maritime Petition to Deny, the Maritime Petition to Deny Fee Waiver, the Opposition to the Petition to Deny, and all other Maritime filings referenced in this Order ARE HEREBY DISMISSED AS MOOT.

FEDERAL COMMUNICATIONS COMMISSION

Thomas P. Derenge
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

ATTACHMENT A

License Grant Date	Call Sign	Licensee Name	First Construction Deadline	Second Construction Deadline	Extension Request - FCC File Number	Renewal Application - FCC File Number	License Expiration Date
03/23/99	WPOI514	Havens, Warren C	11/05/07	03/23/09	0003222953	0003783529	03/23/09
03/23/99	WPOI515	Havens, Warren C	11/05/07	03/23/09	0003222954	0003783599	03/23/09
03/23/99	WPOI516	Havens, Warren C	11/05/07	03/23/09	0003222955	0003783530	03/23/09
03/23/99	WPOI517	Havens, Warren C	11/05/07	03/23/09	0003222956	0003783609	03/23/09
03/23/99	WPOI518	Havens, Warren C	11/05/07	03/23/09	0003222957	0003783531	03/23/09
03/23/99	WPOI519	Havens, Warren C	11/05/07	03/23/09	0003222958	0003783532	03/23/09
03/23/99	WPOI520	Havens, Warren C	11/05/07	03/23/09	0003222959	0003783620	03/23/09
03/23/99	WPOI521	Havens, Warren C	11/05/07	03/23/09	0003222960	0003783626	03/23/09
03/23/99	WPOI522	Havens, Warren C	11/05/07	03/23/09	0003222961	0003783533	03/23/09
03/23/99	WPOI523	Havens, Warren C	11/05/07	03/23/09	0003222962	0003783641	03/23/09
03/23/99	WPOI524	Havens, Warren C	11/05/07	03/23/09	0003222963	0003783534	03/23/09
03/23/99	WPOI525	Havens, Warren C	11/05/07	03/23/09	0003222964	0003783600	03/23/09
03/23/99	WPOI526	Havens, Warren C	11/05/07	03/23/09	0003222965	0003783642	03/23/09
03/23/99	WPOI527	Havens, Warren C	11/05/07	03/23/09	0003222966	0003783535	03/23/09
03/23/99	WPOI528	Havens, Warren C	11/05/07	03/23/09	0003222967	0003783536	03/23/09
03/23/99	WPOI529	Havens, Warren C	11/05/07	03/23/09	0003222968	0003783537	03/23/09
03/23/99	WPOI530	Havens, Warren C	11/05/07	03/23/09	0003222969	0003783538	03/23/09
03/23/99	WPOI531	Havens, Warren C	11/05/07	03/23/09	0003222970	0003783627	03/23/09
03/23/99	WPOI532	Havens, Warren C	11/05/07	03/23/09	0003222971	0003783640	03/23/09
03/23/99	WPOI533	Havens, Warren C	11/05/07	03/23/09	0003222972	0003783539	03/23/09
03/23/99	WPOI534	Havens, Warren C	11/05/07	03/23/09	0003222973	0003783540	03/23/09
03/23/99	WPOI535	Havens, Warren C	11/05/07	03/23/09	0003222974	0003783541	03/23/09
03/23/99	WPOI536	Havens, Warren C	11/05/07	03/23/09	0003222975	0003783601	03/23/09
03/23/99	WPOI537	Havens, Warren C	11/05/07	03/23/09	0003222976	0003783643	03/23/09
03/23/99	WPOI538	Havens, Warren C	11/05/07	03/23/09	0003222977	0003783542	03/23/09
03/23/99	WPOI539	Havens, Warren C	11/05/07	03/23/09	0003222978	0003783543	03/23/09
03/23/99	WPOI540	Havens, Warren C	11/05/07	03/23/09	0003222979	0003783544	03/23/09
03/23/99	WPOI541	Havens, Warren C	11/05/07	03/23/09	0003222980	0003783616	03/23/09
03/23/99	WPOI542	Havens, Warren C	11/05/07	03/23/09	0003222981	0003783628	03/23/09
03/23/99	WPOI543	Havens, Warren C	11/05/07	03/23/09	0003222982	0003783545	03/23/09
03/23/99	WPOI544	Havens, Warren C	11/05/07	03/23/09	0003222983	0003783546	03/23/09
03/23/99	WPOI545	Havens, Warren C	11/05/07	03/23/09	0003222984	0003783547	03/23/09
03/23/99	WPOI546	Havens, Warren C	11/05/07	03/23/09	0003222985	0003783602	03/23/09
03/23/99	WPOI547	Havens, Warren C	11/05/07	03/23/09	0003222986	0003783621	03/23/09
03/23/99	WPOI548	Havens, Warren C	11/05/07	03/23/09	0003222987	0003783610	03/23/09
03/23/99	WPOI549	Havens, Warren C	11/05/07	03/23/09	0003222988	0003783548	03/23/09
03/23/99	WPOI550	Havens, Warren C	11/05/07	03/23/09	0003222989	0003783644	03/23/09
03/23/99	WPOI551	Havens, Warren C	11/05/07	03/23/09	0003222990	0003783549	03/23/09
03/23/99	WPOI552	Havens, Warren C	11/05/07	03/23/09	0003222991	0003783550	03/23/09
03/23/99	WPOI553	Havens, Warren C	11/05/07	03/23/09	0003222992	0003783629	03/23/09
03/23/99	WPOI554	Havens, Warren C	11/05/07	03/23/09	0003222993	0003783551	03/23/09
03/23/99	WPOI555	Havens, Warren C	11/05/07	03/23/09	0003222994	0003783552	03/23/09
03/23/99	WPOI556	Havens, Warren C	11/05/07	03/23/09	0003222995	0003783603	03/23/09
03/23/99	WPOI557	Havens, Warren C	11/05/07	03/23/09	0003222996	0003783553	03/23/09
03/23/99	WPOI558	Havens, Warren C	11/05/07	03/23/09	0003222997	0003783611	03/23/09
03/23/99	WPOI559	Havens, Warren C	11/05/07	03/23/09	0003222998	0003783554	03/23/09
03/23/99	WPOI560	Havens, Warren C	11/05/07	03/23/09	0003222999	0003783555	03/23/09
03/23/99	WPOI561	Havens, Warren C	11/05/07	03/23/09	0003223000	0003783622	03/23/09
03/23/99	WPOI562	Havens, Warren C	11/05/07	03/23/09	0003223001	0003783630	03/23/09
03/23/99	WPOI563	Havens, Warren C	11/05/07	03/23/09	0003223002	0003783556	03/23/09
03/23/99	WPOI564	Havens, Warren C	11/05/07	03/23/09	0003223003	0003783617	03/23/09
03/23/99	WPOI565	Havens, Warren C	11/05/07	03/23/09	0003223004	0003783557	03/23/09
03/23/99	WPOI566	Havens, Warren C	11/05/07	03/23/09	0003223005	0003783639	03/23/09
03/23/99	WPOI567	Havens, Warren C	11/05/07	03/23/09	0003223006	0003783645	03/23/09

License Grant Date	Call Sign	Licensee Name	First Construction Deadline	Second Construction Deadline	Extension Request - FCC File Number	Renewal Application - FCC File Number	License Expiration Date
03/23/99	WPOI568	Havens, Warren C	11/05/07	03/23/09	0003223007	0003783558	03/23/09
03/23/99	WPOI569	Havens, Warren C	11/05/07	03/23/09	0003223008	0003783559	03/23/09
03/23/99	WPOI570	Havens, Warren C	11/05/07	03/23/09	0003223009	0003783560	03/23/09
03/23/99	WPOI571	Havens, Warren C	11/05/07	03/23/09	0003223010	0003783561	03/23/09
03/23/99	WPOI572	Havens, Warren C	11/05/07	03/23/09	0003223011	0003783631	03/23/09
03/23/99	WPOI573	Havens, Warren C	11/05/07	03/23/09	0003223012	0003783612	03/23/09
03/23/99	WPOI574	Havens, Warren C	11/05/07	03/23/09	0003223013	0003783562	03/23/09
03/23/99	WPOI575	Havens, Warren C	11/05/07	03/23/09	0003223014	0003783563	03/23/09
03/23/99	WPOI576	Havens, Warren C	11/05/07	03/23/09	0003223015	0003783564	03/23/09
03/23/99	WPOI577	Havens, Warren C	11/05/07	03/23/09	0003223016	0003783604	03/23/09
03/23/99	WPOI578	Havens, Warren C	11/05/07	03/23/09	0003223017	0003783646	03/23/09
03/23/99	WPOI579	Havens, Warren C	11/05/07	03/23/09	0003223018	0003783565	03/23/09
03/23/99	WPOI580	Havens, Warren C	11/05/07	03/23/09	0003223019	0003783566	03/23/09
03/23/99	WPOI581	Havens, Warren C	11/05/07	03/23/09	0003223020	0003783567	03/23/09
03/23/99	WPOI582	Havens, Warren C	11/05/07	03/23/09	0003223021	0003783618	03/23/09
03/23/99	WPOI583	Havens, Warren C	11/05/07	03/23/09	0003223022	0003783632	03/23/09
03/23/99	WPOI584	Havens, Warren C	11/05/07	03/23/09	0003223023	0003783568	03/23/09
03/23/99	WPOI585	Havens, Warren C	11/05/07	03/23/09	0003223024	0003783569	03/23/09
03/23/99	WPOI586	Havens, Warren C	11/05/07	03/23/09	0003223025	0003783570	03/23/09
03/23/99	WPOI587	Havens, Warren C	11/05/07	03/23/09	0003223026	0003783605	03/23/09
03/23/99	WPOI588	Havens, Warren C	11/05/07	03/23/09	0003223027	0003783623	03/23/09
03/23/99	WPOI589	Havens, Warren C	11/05/07	03/23/09	0003223028	0003783653	03/23/09
03/23/99	WPOI590	Havens, Warren C	11/05/07	03/23/09	0003223029	0003783571	03/23/09
03/23/99	WPOI591	Havens, Warren C	11/05/07	03/23/09	0003223030	0003783647	03/23/09
03/23/99	WPOI592	Havens, Warren C	11/05/07	03/23/09	0003223031	0003783572	03/23/09
03/23/99	WPOI593	Havens, Warren C	11/05/07	03/23/09	0003223032	0003783573	03/23/09
03/23/99	WPOI594	Havens, Warren C	11/05/07	03/23/09	0003223033	0003783633	03/23/09
03/23/99	WPOI595	Havens, Warren C	11/05/07	03/23/09	0003223034	0003783574	03/23/09
03/23/99	WPOI596	Havens, Warren C	11/05/07	03/23/09	0003223035	0003783575	03/23/09
03/23/99	WPOI597	Havens, Warren C	11/05/07	03/23/09	0003223036	0003783652	03/23/09
03/23/99	WPOI598	Havens, Warren C	11/05/07	03/23/09	0003223037	0003783576	03/23/09
03/23/99	WPOI599	Havens, Warren C	11/05/07	03/23/09	0003223038	0003783613	03/23/09
03/23/99	WPOI600	Havens, Warren C	11/05/07	03/23/09	0003223039	0003783577	03/23/09
03/23/99	WPOI601	Havens, Warren C	11/05/07	03/23/09	0003223040	0003783578	03/23/09
03/23/99	WPOI602	Havens, Warren C	11/05/07	03/23/09	0003223041	0003783624	03/23/09
03/23/99	WPOI603	Havens, Warren C	11/05/07	03/23/09	0003223042	0003783634	03/23/09
03/23/99	WPOI604	Havens, Warren C	11/05/07	03/23/09	0003223043	0003783579	03/23/09
03/23/99	WPOI605	Havens, Warren C	11/05/07	03/23/09	0003223044	0003783619	03/23/09
03/23/99	WPOI606	Havens, Warren C	11/05/07	03/23/09	0003223045	0003783580	03/23/09
03/23/99	WPOI607	Havens, Warren C	11/05/07	03/23/09	0003223046	0003783606	03/23/09
03/23/99	WPOI608	Havens, Warren C	11/05/07	03/23/09	0003223047	0003783648	03/23/09
03/23/99	WPOI609	Havens, Warren C	11/05/07	03/23/09	0003223048	0003783581	03/23/09
03/23/99	WPOI610	Havens, Warren C	11/05/07	03/23/09	0003223049	0003783582	03/23/09
03/23/99	WPOI611	Havens, Warren C	11/05/07	03/23/09	0003223050	0003783583	03/23/09
03/23/99	WPOI612	Havens, Warren C	11/05/07	03/23/09	0003223051	0003783584	03/23/09
03/23/99	WPOI613	Havens, Warren C	11/05/07	03/23/09	0003223052	0003783635	03/23/09
03/23/99	WPOI614	Havens, Warren C	11/05/07	03/23/09	0003223053	0003783614	03/23/09
03/23/99	WPOI615	Havens, Warren C	11/05/07	03/23/09	0003223054	0003783585	03/23/09
03/23/99	WPOI616	Havens, Warren C	11/05/07	03/23/09	0003223055	0003783586	03/23/09
03/23/99	WPOI617	Havens, Warren C	11/05/07	03/23/09	0003223056	0003783587	03/23/09
03/23/99	WPOI618	Havens, Warren C	11/05/07	03/23/09	0003223057	0003783607	03/23/09
03/23/99	WPOI619	Havens, Warren C	11/05/07	03/23/09	0003223058	0003783649	03/23/09
03/23/99	WPOI620	Havens, Warren C	11/05/07	03/23/09	0003223059	0003783588	03/23/09
03/23/99	WPOI621	Havens, Warren C	11/05/07	03/23/09	0003223060	0003783589	03/23/09

License Grant Date	Call Sign	Licensee Name	First Construction Deadline	Second Construction Deadline	Extension Request - FCC File Number	Renewal Application - FCC File Number	License Expiration Date
03/23/99	WPOI622	Havens, Warren C	11/05/07	03/23/09	0003223061	0003783590	03/23/09
03/22/99	WPOI843	Havens, Warren C	11/05/07	03/22/09	0003223062	0003781371	03/22/09
03/23/99	WPOJ290	Havens, Warren C	11/05/07	03/23/09	0003223063	0003783654	03/23/09
03/23/99	WPOJ291	Havens, Warren C	11/05/07	03/23/09	0003223064	0003783636	03/23/09
03/23/99	WPOJ292	Havens, Warren C	11/05/07	03/23/09	0003223065	0003783591	03/23/09
03/23/99	WPOJ293	Havens, Warren C	11/05/07	03/23/09	0003223066	0003783592	03/23/09
03/23/99	WPOJ294	Havens, Warren C	11/05/07	03/23/09	0003223067	0003783593	03/23/09
03/23/99	WPOJ295	Havens, Warren C	11/05/07	03/23/09	0003223068	0003783608	03/23/09
03/23/99	WPOJ296	Havens, Warren C	11/05/07	03/23/09	0003223069	0003783625	03/23/09
03/23/99	WPOJ297	Havens, Warren C	11/05/07	03/23/09	0003223070	0003783615	03/23/09
03/23/99	WPOJ298	Havens, Warren C	11/05/07	03/23/09	0003223071	0003783594	03/23/09
03/23/99	WPOJ299	Havens, Warren C	11/05/07	03/23/09	0003223072	0003783650	03/23/09
03/23/99	WPOJ300	Havens, Warren C	11/05/07	03/23/09	0003223073	0003783595	03/23/09
03/23/99	WPOJ301	Havens, Warren C	11/05/07	03/23/09	0003223074	0003783596	03/23/09
03/23/99	WPOJ302	Havens, Warren C	11/05/07	03/23/09	0003223075	0003783637	03/23/09
03/23/99	WPOJ303	Havens, Warren C	11/05/07	03/23/09	0003223076	0003783597	03/23/09
03/23/99	WPOJ304	Havens, Warren C	11/05/07	03/23/09	0003223077	0003783638	03/23/09
03/23/99	WPOJ305	Havens, Warren C	11/05/07	03/23/09	0003223078	0003783598	03/23/09
03/23/99	WPOJ306	Havens, Warren C	11/05/07	03/23/09	0003223079	0003783651	03/23/09
10/07/99	WPOK862	Havens, Warren C	11/05/07	10/07/09	0003223118	0003990376	10/07/09
10/07/99	WPOK863	Havens, Warren C	11/05/07	10/07/09	0003223119	0003990345	10/07/09
10/07/99	WPOK864	Havens, Warren C	11/05/07	10/07/09	0003223120	0003990344	10/07/09
10/07/99	WPOK865	Havens, Warren C	11/05/07	10/07/09	0003223121	0003990346	10/07/09
10/07/99	WPOK866	Havens, Warren C	11/05/07	10/07/09	0003223122	0003990347	10/07/09
10/07/99	WPOK867	Havens, Warren C	11/05/07	10/07/09	0003223123	0003990348	10/07/09
10/07/99	WPOK868	Havens, Warren C	11/05/07	10/07/09	0003223124	0003990373	10/07/09
10/07/99	WPOK869	Havens, Warren C	11/05/07	10/07/09	0003223125	0003990349	10/07/09
10/07/99	WPOK871	Havens, Warren C	11/05/07	10/07/09	0003223126	0003990371	10/07/09
10/07/99	WPOK872	Havens, Warren C	11/05/07	10/07/09	0003223127	0003990350	10/07/09
10/07/99	WPOK873	Havens, Warren C	11/05/07	10/07/09	0003223128	0003990369	10/07/09
10/07/99	WPOK874	Havens, Warren C	11/05/07	10/07/09	0003223129	0003990377	10/07/09
10/07/99	WPOK875	Havens, Warren C	11/05/07	10/07/09	0003223130	0003990351	10/07/09
10/07/99	WPOK876	Havens, Warren C	11/05/07	10/07/09	0003223131	0003990352	10/07/09
10/07/99	WPOK877	Havens, Warren C	11/05/07	10/07/09	0003223132	0003990353	10/07/09
10/07/99	WPOK878	Havens, Warren C	11/05/07	10/07/09	0003223133	0003990354	10/07/09
10/07/99	WPOK879	Havens, Warren C	11/05/07	10/07/09	0003223134	0003990374	10/07/09
10/07/99	WPOK880	Havens, Warren C	11/05/07	10/07/09	0003223135	0003990355	10/07/09
10/07/99	WPOK881	Havens, Warren C	11/05/07	10/07/09	0003223136	0003990367	10/07/09
10/07/99	WPOK882	Havens, Warren C	11/05/07	10/07/09	0003223137	0003990356	10/07/09
10/07/99	WPOK883	Havens, Warren C	11/05/07	10/07/09	0003223138	0003990357	10/07/09
10/07/99	WPOK884	Havens, Warren C	11/05/07	10/07/09	0003223139	0003990378	10/07/09
10/07/99	WPOK885	Havens, Warren C	11/05/07	10/07/09	0003223140	0003990358	10/07/09
10/07/99	WPOK886	Havens, Warren C	11/05/07	10/07/09	0003223141	0003990359	10/07/09
10/07/99	WPOK887	Havens, Warren C	11/05/07	10/07/09	0003223142	0003990360	10/07/09
10/07/99	WPOK888	Havens, Warren C	11/05/07	10/07/09	0003223143	0003990375	10/07/09
10/07/99	WPOK889	Havens, Warren C	11/05/07	10/07/09	0003223144	0003990370	10/07/09
10/07/99	WPOK890	Verde Systems LLC	11/05/07	10/07/09	0003223081	0003990428	10/07/09
10/07/99	WPOK891	Verde Systems LLC	11/05/07	10/07/09	0003223082	0003990398	10/07/09
10/07/99	WPOK892	Verde Systems LLC	11/05/07	10/07/09	0003223083	0003990399	10/07/09
10/07/99	WPOK893	Havens, Warren C	11/05/07	10/07/09	0003223145	0003990361	10/07/09
10/07/99	WPOK894	Havens, Warren C	11/05/07	10/07/09	0003223146	0003990362	10/07/09
10/07/99	WPOK895	Havens, Warren C	11/05/07	10/07/09	0003223147	0003990363	10/07/09
10/07/99	WPOK896	Havens, Warren C	11/05/07	10/07/09	0003223148	0003990364	10/07/09
10/07/99	WPOK897	Havens, Warren C	11/05/07	10/07/09	0003223149	0003990379	10/07/09

License Grant Date	Call Sign	Licensee Name	First Construction Deadline	Second Construction Deadline	Extension Request - FCC File Number	Renewal Application - FCC File Number	License Expiration Date
10/07/99	WPOK898	Havens, Warren C	11/05/07	10/07/09	0003223150	0003990368	10/07/09
10/07/99	WPOK899	Havens, Warren C	11/05/07	10/07/09	0003223151	0003990372	10/07/09
10/07/99	WPOK900	Havens, Warren C	11/05/07	10/07/09	0003223152	0003990365	10/07/09
10/07/99	WPOK901	Verde Systems LLC	11/05/07	10/07/09	0003223084	0003990400	10/07/09
10/07/99	WPOK902	Verde Systems LLC	11/05/07	10/07/09	0003223085	0003990401	10/07/09
10/07/99	WPOK903	Verde Systems LLC	11/05/07	10/07/09	0003223086	0003990402	10/07/09
10/07/99	WPOK904	Verde Systems LLC	11/05/07	10/07/09	0003223087	0003990425	10/07/09
10/07/99	WPOK905	Verde Systems LLC	11/05/07	10/07/09	0003223088	0003990403	10/07/09
10/07/99	WPOK906	Verde Systems LLC	11/05/07	10/07/09	0003223089	0003990404	10/07/09
10/07/99	WPOK907	Verde Systems LLC	11/05/07	10/07/09	0003223090	0003990423	10/07/09
10/07/99	WPOK908	Verde Systems LLC	11/05/07	10/07/09	0003223091	0003990429	10/07/09
10/07/99	WPOK909	Verde Systems LLC	11/05/07	10/07/09	0003223092	0003990421	10/07/09
10/07/99	WPOK910	Verde Systems LLC	11/05/07	10/07/09	0003223093	0003990405	10/07/09
10/07/99	WPOK911	Verde Systems LLC	11/05/07	10/07/09	0003223094	0003990406	10/07/09
10/07/99	WPOK912	Verde Systems LLC	11/05/07	10/07/09	0003223095	0003990407	10/07/09
10/07/99	WPOK913	Verde Systems LLC	11/05/07	10/07/09	0003223096	0003990408	10/07/09
10/07/99	WPOK914	Verde Systems LLC	11/05/07	10/07/09	0003223097	0003990426	10/07/09
10/07/99	WPOK915	Verde Systems LLC	11/05/07	10/07/09	0003223098	0003990409	10/07/09
10/07/99	WPOK916	Verde Systems LLC	11/05/07	10/07/09	0003223099	0003990410	10/07/09
10/07/99	WPOK917	Verde Systems LLC	11/05/07	10/07/09	0003223100	0003990411	10/07/09
10/07/99	WPOK918	Verde Systems LLC	11/05/07	10/07/09	0003223101	0003990430	10/07/09
10/07/99	WPOK919	Verde Systems LLC	11/05/07	10/07/09	0003223102	0003990412	10/07/09
10/07/99	WPOK920	Verde Systems LLC	11/05/07	10/07/09	0003223103	0003990413	10/07/09
10/07/99	WPOK921	Verde Systems LLC	11/05/07	10/07/09	0003223104	0003990414	10/07/09
10/07/99	WPOK922	Verde Systems LLC	11/05/07	10/07/09	0003223105	0003990427	10/07/09
10/07/99	WPOK923	Verde Systems LLC	11/05/07	10/07/09	0003223106	0003990415	10/07/09
10/07/99	WPOK924	Verde Systems LLC	11/05/07	10/07/09	0003223107	0003990422	10/07/09
10/07/99	WPOK925	Verde Systems LLC	11/05/07	10/07/09	0003223108	0003990416	10/07/09
10/07/99	WPOK926	Verde Systems LLC	11/05/07	10/07/09	0003223109	0003990417	10/07/09
10/07/99	WPOK928	Verde Systems LLC	11/05/07	10/07/09	0003223110	0003990418	10/07/09
10/07/99	WPOK929	Verde Systems LLC	11/05/07	10/07/09	0003223111	0003990419	10/07/09
10/07/99	WPOK930	Verde Systems LLC	11/05/07	10/07/09	0003223112	0003990431	10/07/09
10/07/99	WPOK931	Verde Systems LLC	11/05/07	10/07/09	0003223113	0003990424	10/07/09
10/07/99	WPOK932	Verde Systems LLC	11/05/07	10/07/09	0003223114	0003990420	10/07/09
10/07/99	WPOK933	Havens, Warren C	11/05/07	10/07/09	0003223153	0003990366	10/07/09
10/26/07	WQHZ577	Skybridge Spectrum Foundation				0003989107	10/07/09
10/26/07	WQHZ578	Skybridge Spectrum Foundation				0003989150	10/07/09
10/24/07	WQHZ579	Skybridge Spectrum Foundation				0003710186	03/23/09
10/24/07	WQHZ580	Skybridge Spectrum Foundation				0003710256	03/23/09
10/24/07	WQHZ581	Skybridge Spectrum Foundation				0003710187	03/23/09
10/24/07	WQHZ582	Skybridge Spectrum Foundation				0003710266	03/23/09
10/24/07	WQHZ583	Skybridge Spectrum Foundation				0003710188	03/23/09
10/24/07	WQHZ584	Skybridge Spectrum Foundation				0003710189	03/23/09
10/24/07	WQHZ585	Skybridge Spectrum Foundation				0003710277	03/23/09
10/24/07	WQHZ586	Skybridge Spectrum Foundation				0003710283	03/23/09
10/24/07	WQHZ587	Skybridge Spectrum Foundation				0003710190	03/23/09
10/24/07	WQHZ588	Skybridge Spectrum Foundation				0003710298	03/23/09
10/24/07	WQHZ589	Skybridge Spectrum Foundation				0003710191	03/23/09
10/24/07	WQHZ590	Skybridge Spectrum Foundation				0003710257	03/23/09
10/24/07	WQHZ591	Skybridge Spectrum Foundation				0003710299	03/23/09
10/24/07	WQHZ592	Skybridge Spectrum Foundation				0003710192	03/23/09
10/24/07	WQHZ593	Skybridge Spectrum Foundation				0003710193	03/23/09
10/24/07	WQHZ594	Skybridge Spectrum Foundation				0003710194	03/23/09
10/24/07	WQHZ595	Skybridge Spectrum Foundation				0003710195	03/23/09

License Grant Date	Call Sign	Licensee Name	First Construction Deadline	Second Construction Deadline	Extension Request - FCC File Number	Renewal Application - FCC File Number	License Expiration Date
10/24/07	WQHZ596	Skybridge Spectrum Foundation				0003710284	03/23/09
10/24/07	WQHZ597	Skybridge Spectrum Foundation				0003710297	03/23/09
10/24/07	WQHZ598	Skybridge Spectrum Foundation				0003710196	03/23/09
10/24/07	WQHZ599	Skybridge Spectrum Foundation				0003710197	03/23/09
10/24/07	WQHZ600	Skybridge Spectrum Foundation				0003710198	03/23/09
10/24/07	WQHZ601	Skybridge Spectrum Foundation				0003710258	03/23/09
10/24/07	WQHZ602	Skybridge Spectrum Foundation				0003710300	03/23/09
10/24/07	WQHZ603	Skybridge Spectrum Foundation				0003710199	03/23/09
10/24/07	WQHZ604	Skybridge Spectrum Foundation				0003710200	03/23/09
10/24/07	WQHZ605	Skybridge Spectrum Foundation				0003710201	03/23/09
10/24/07	WQHZ606	Skybridge Spectrum Foundation				0003710273	03/23/09
10/24/07	WQHZ607	Skybridge Spectrum Foundation				0003710285	03/23/09
10/24/07	WQHZ608	Skybridge Spectrum Foundation				0003710202	03/23/09
10/24/07	WQHZ609	Skybridge Spectrum Foundation				0003710203	03/23/09
10/24/07	WQHZ611	Skybridge Spectrum Foundation				0003710204	03/23/09
10/24/07	WQHZ612	Skybridge Spectrum Foundation				0003710259	03/23/09
10/24/07	WQHZ613	Skybridge Spectrum Foundation				0003710278	03/23/09
10/24/07	WQHZ614	Skybridge Spectrum Foundation				0003710267	03/23/09
10/24/07	WQHZ615	Skybridge Spectrum Foundation				0003710205	03/23/09
10/24/07	WQHZ616	Skybridge Spectrum Foundation				0003710301	03/23/09
10/24/07	WQHZ617	Skybridge Spectrum Foundation				0003710206	03/23/09
10/24/07	WQHZ618	Skybridge Spectrum Foundation				0003710207	03/23/09
10/24/07	WQHZ619	Skybridge Spectrum Foundation				0003710286	03/23/09
10/24/07	WQHZ620	Skybridge Spectrum Foundation				0003710208	03/23/09
10/24/07	WQHZ621	Skybridge Spectrum Foundation				0003710209	03/23/09
10/24/07	WQHZ622	Skybridge Spectrum Foundation				0003710260	03/23/09
10/24/07	WQHZ623	Skybridge Spectrum Foundation				0003710210	03/23/09
10/24/07	WQHZ624	Skybridge Spectrum Foundation				0003710268	03/23/09
10/24/07	WQHZ625	Skybridge Spectrum Foundation				0003710211	03/23/09
10/24/07	WQHZ626	Skybridge Spectrum Foundation				0003710212	03/23/09
10/24/07	WQHZ627	Skybridge Spectrum Foundation				0003710279	03/23/09
10/24/07	WQHZ628	Skybridge Spectrum Foundation				0003710287	03/23/09
10/24/07	WQHZ629	Skybridge Spectrum Foundation				0003710213	03/23/09
10/24/07	WQHZ630	Skybridge Spectrum Foundation				0003710274	03/23/09
10/24/07	WQHZ631	Skybridge Spectrum Foundation				0003710214	03/23/09
10/24/07	WQHZ632	Skybridge Spectrum Foundation				0003710296	03/23/09
10/24/07	WQHZ633	Skybridge Spectrum Foundation				0003710302	03/23/09
10/24/07	WQHZ634	Skybridge Spectrum Foundation				0003710215	03/23/09
10/24/07	WQHZ635	Skybridge Spectrum Foundation				0003710216	03/23/09
10/24/07	WQHZ636	Skybridge Spectrum Foundation				0003710217	03/23/09
10/24/07	WQHZ637	Skybridge Spectrum Foundation				0003710218	03/23/09
10/24/07	WQHZ638	Skybridge Spectrum Foundation				0003710288	03/23/09
10/24/07	WQHZ639	Skybridge Spectrum Foundation				0003710269	03/23/09
10/24/07	WQHZ640	Skybridge Spectrum Foundation				0003710219	03/23/09
10/24/07	WQHZ641	Skybridge Spectrum Foundation				0003710220	03/23/09
10/24/07	WQHZ642	Skybridge Spectrum Foundation				0003710221	03/23/09
10/24/07	WQHZ643	Skybridge Spectrum Foundation				0003710261	03/23/09
10/24/07	WQHZ644	Skybridge Spectrum Foundation				0003710303	03/23/09
10/24/07	WQHZ645	Skybridge Spectrum Foundation				0003710222	03/23/09
10/24/07	WQHZ646	Skybridge Spectrum Foundation				0003710223	03/23/09
10/24/07	WQHZ647	Skybridge Spectrum Foundation				0003710224	03/23/09
10/24/07	WQHZ648	Skybridge Spectrum Foundation				0003710275	03/23/09
10/24/07	WQHZ649	Skybridge Spectrum Foundation				0003710289	03/23/09
10/24/07	WQHZ650	Skybridge Spectrum Foundation				0003710225	03/23/09

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10/24/07	WQHZ651	Skybridge Spectrum Foundation				0003710226	03/23/09
10/24/07	WQHZ652	Skybridge Spectrum Foundation				0003710227	03/23/09
10/24/07	WQHZ653	Skybridge Spectrum Foundation				0003710262	03/23/09
10/24/07	WQHZ654	Skybridge Spectrum Foundation				0003710280	03/23/09
10/24/07	WQHZ655	Skybridge Spectrum Foundation				0003710310	03/23/09
10/24/07	WQHZ656	Skybridge Spectrum Foundation				0003710228	03/23/09
10/24/07	WQHZ657	Skybridge Spectrum Foundation				0003710304	03/23/09
10/24/07	WQHZ658	Skybridge Spectrum Foundation				0003710229	03/23/09
10/24/07	WQHZ659	Skybridge Spectrum Foundation				0003710230	03/23/09
10/24/07	WQHZ660	Skybridge Spectrum Foundation				0003710290	03/23/09
10/24/07	WQHZ661	Skybridge Spectrum Foundation				0003710231	03/23/09
10/24/07	WQHZ662	Skybridge Spectrum Foundation				0003710232	03/23/09
10/24/07	WQHZ663	Skybridge Spectrum Foundation				0003710309	03/23/09
10/24/07	WQHZ664	Skybridge Spectrum Foundation				0003710233	03/23/09
10/24/07	WQHZ665	Skybridge Spectrum Foundation				0003710270	03/23/09
10/24/07	WQHZ666	Skybridge Spectrum Foundation				0003710234	03/23/09
10/24/07	WQHZ667	Skybridge Spectrum Foundation				0003710235	03/23/09
10/24/07	WQHZ668	Skybridge Spectrum Foundation				0003710281	03/23/09
10/24/07	WQHZ669	Skybridge Spectrum Foundation				0003710291	03/23/09
10/24/07	WQHZ670	Skybridge Spectrum Foundation				0003710236	03/23/09
10/24/07	WQHZ671	Skybridge Spectrum Foundation				0003710276	03/23/09
10/24/07	WQHZ672	Skybridge Spectrum Foundation				0003710237	03/23/09
10/24/07	WQHZ673	Skybridge Spectrum Foundation				0003710263	03/23/09
10/24/07	WQHZ674	Skybridge Spectrum Foundation				0003710305	03/23/09
10/24/07	WQHZ675	Skybridge Spectrum Foundation				0003710238	03/23/09
10/24/07	WQHZ676	Skybridge Spectrum Foundation				0003710239	03/23/09
10/24/07	WQHZ677	Skybridge Spectrum Foundation				0003710240	03/23/09
10/24/07	WQHZ678	Skybridge Spectrum Foundation				0003710241	03/23/09
10/24/07	WQHZ679	Skybridge Spectrum Foundation				0003710292	03/23/09
10/24/07	WQHZ680	Skybridge Spectrum Foundation				0003710271	03/23/09
10/24/07	WQHZ681	Skybridge Spectrum Foundation				0003710242	03/23/09
10/24/07	WQHZ682	Skybridge Spectrum Foundation				0003710243	03/23/09
10/24/07	WQHZ683	Skybridge Spectrum Foundation				0003710244	03/23/09
10/24/07	WQHZ684	Skybridge Spectrum Foundation				0003710264	03/23/09
10/24/07	WQHZ685	Skybridge Spectrum Foundation				0003710306	03/23/09
10/24/07	WQHZ686	Skybridge Spectrum Foundation				0003710245	03/23/09
10/24/07	WQHZ687	Skybridge Spectrum Foundation				0003710246	03/23/09
10/24/07	WQHZ688	Skybridge Spectrum Foundation				0003710247	03/22/09
10/24/07	WQHZ689	Skybridge Spectrum Foundation				0003710311	03/23/09
10/24/07	WQHZ690	Skybridge Spectrum Foundation				0003710293	03/23/09
10/24/07	WQHZ691	Skybridge Spectrum Foundation				0003710248	03/23/09
10/24/07	WQHZ692	Skybridge Spectrum Foundation				0003710249	03/23/09
10/24/07	WQHZ693	Skybridge Spectrum Foundation				0003710250	03/23/09
10/24/07	WQHZ694	Skybridge Spectrum Foundation				0003710265	03/23/09
10/24/07	WQHZ695	Skybridge Spectrum Foundation				0003710282	03/23/09
10/24/07	WQHZ696	Skybridge Spectrum Foundation				0003710272	03/23/09
10/24/07	WQHZ697	Skybridge Spectrum Foundation				0003710251	03/23/09
10/24/07	WQHZ698	Skybridge Spectrum Foundation				0003710307	03/23/09
10/24/07	WQHZ699	Skybridge Spectrum Foundation				0003710252	03/23/09
10/24/07	WQHZ700	Skybridge Spectrum Foundation				0003710253	03/23/09
10/24/07	WQHZ701	Skybridge Spectrum Foundation				0003710294	03/23/09
10/24/07	WQHZ702	Skybridge Spectrum Foundation				0003710254	03/23/09
10/24/07	WQHZ703	Skybridge Spectrum Foundation				0003710295	03/23/09
10/24/07	WQHZ704	Skybridge Spectrum Foundation				0003710255	03/23/09

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10/24/07	WQHZ705	Skybridge Spectrum Foundation				0003710308	03/23/09
10/24/07	WQHZ706	Skybridge Spectrum Foundation				0003989108	10/07/09
10/24/07	WQHZ707	Skybridge Spectrum Foundation				0003989152	10/07/09
10/24/07	WQHZ708	Skybridge Spectrum Foundation				0003989109	10/07/09
10/24/07	WQHZ709	Skybridge Spectrum Foundation				0003989110	10/07/09
10/24/07	WQHZ710	Skybridge Spectrum Foundation				0003989159	10/07/09
10/24/07	WQHZ711	Skybridge Spectrum Foundation				0003989163	10/07/09
10/24/07	WQHZ712	Skybridge Spectrum Foundation				0003989111	10/07/09
10/24/07	WQHZ713	Skybridge Spectrum Foundation				0003989155	10/07/09
10/24/07	WQHZ714	Skybridge Spectrum Foundation				0003989112	10/07/09
10/24/07	WQHZ715	Skybridge Spectrum Foundation				0003989151	10/07/09
10/24/07	WQHZ716	Skybridge Spectrum Foundation				0003989170	10/07/09
10/24/07	WQHZ717	Skybridge Spectrum Foundation				0003989113	10/07/09
10/24/07	WQHZ718	Skybridge Spectrum Foundation				0003989114	10/07/09
10/24/07	WQHZ719	Skybridge Spectrum Foundation				0003989115	10/07/09
10/24/07	WQHZ720	Skybridge Spectrum Foundation				0003989116	10/07/09
10/24/07	WQHZ721	Skybridge Spectrum Foundation				0003989164	10/07/09
10/24/07	WQHZ722	Skybridge Spectrum Foundation				0003989153	10/07/09
10/24/07	WQHZ723	Skybridge Spectrum Foundation				0003989117	10/07/09
10/24/07	WQHZ724	Skybridge Spectrum Foundation				0003989118	10/07/09
10/24/07	WQHZ725	Skybridge Spectrum Foundation				0003989119	10/07/09
10/24/07	WQHZ726	Skybridge Spectrum Foundation				0003989176	10/07/09
10/24/07	WQHZ727	Skybridge Spectrum Foundation				0003989171	10/07/09
10/24/07	WQHZ728	Skybridge Spectrum Foundation				0003989120	10/07/09
10/24/07	WQHZ729	Skybridge Spectrum Foundation				0003989121	10/07/09
10/24/07	WQHZ730	Skybridge Spectrum Foundation				0003989122	10/07/09
10/24/07	WQHZ731	Skybridge Spectrum Foundation				0003989156	10/07/09
10/24/07	WQHZ732	Skybridge Spectrum Foundation				0003989165	10/07/09
10/24/07	WQHZ733	Skybridge Spectrum Foundation				0003989123	10/07/09
10/24/07	WQHZ734	Skybridge Spectrum Foundation				0003989124	10/07/09
10/24/07	WQHZ735	Skybridge Spectrum Foundation				0003989125	10/07/09
10/24/07	WQHZ736	Skybridge Spectrum Foundation				0003989162	10/07/09
10/24/07	WQHZ737	Skybridge Spectrum Foundation				0003989160	10/07/09
10/24/07	WQHZ738	Skybridge Spectrum Foundation				0003989154	10/07/09
11/01/07	WQHZ739	Skybridge Spectrum Foundation				0003989126	10/07/09
11/01/07	WQHZ740	Skybridge Spectrum Foundation				0003989172	10/07/09
11/01/07	WQHZ741	Skybridge Spectrum Foundation				0003989127	10/07/09
11/01/07	WQHZ742	Skybridge Spectrum Foundation				0003989128	10/07/09
11/01/07	WQHZ743	Skybridge Spectrum Foundation				0003989166	10/07/09
11/01/07	WQHZ744	Skybridge Spectrum Foundation				0003989129	10/07/09
11/01/07	WQHZ745	Skybridge Spectrum Foundation				0003989173	10/07/09
11/01/07	WQHZ746	Skybridge Spectrum Foundation				0003989130	10/07/09
11/01/07	WQHZ747	Skybridge Spectrum Foundation				0003989131	10/07/09
11/01/07	WQHZ748	Skybridge Spectrum Foundation				0003989132	10/07/09
11/01/07	WQHZ749	Skybridge Spectrum Foundation				0003989133	10/07/09
11/01/07	WQHZ750	Skybridge Spectrum Foundation				0003989134	10/07/09
11/01/07	WQHZ751	Skybridge Spectrum Foundation				0003989167	10/07/09
11/01/07	WQHZ752	Skybridge Spectrum Foundation				0003989135	10/07/09
11/01/07	WQHZ753	Skybridge Spectrum Foundation				0003989136	10/07/09
11/01/07	WQHZ754	Skybridge Spectrum Foundation				0003989161	10/07/09
11/01/07	WQHZ755	Skybridge Spectrum Foundation				0003989174	10/07/09
11/01/07	WQHZ756	Skybridge Spectrum Foundation				0003989157	10/07/09
11/01/07	WQHZ757	Skybridge Spectrum Foundation				0003989137	10/07/09
11/01/07	WQHZ758	Skybridge Spectrum Foundation				0003989138	10/07/09

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11/01/07	WQHZ759	Skybridge Spectrum Foundation				0003989139	10/07/09
11/01/07	WQHZ760	Skybridge Spectrum Foundation				0003989140	10/07/09
11/01/07	WQHZ761	Skybridge Spectrum Foundation				0003989168	10/07/09
11/01/07	WQHZ762	Skybridge Spectrum Foundation				0003989141	10/07/09
11/01/07	WQHZ763	Skybridge Spectrum Foundation				0003989142	10/07/09
11/01/07	WQHZ764	Skybridge Spectrum Foundation				0003989143	10/07/09
11/01/07	WQHZ765	Skybridge Spectrum Foundation				0003989175	10/07/09
11/01/07	WQHZ766	Skybridge Spectrum Foundation				0003989144	10/07/09
11/01/07	WQHZ767	Skybridge Spectrum Foundation				0003989145	10/07/09
11/01/07	WQHZ768	Skybridge Spectrum Foundation				0003989146	10/07/09
11/01/07	WQHZ769	Skybridge Spectrum Foundation				0003989169	10/07/09
11/01/07	WQHZ770	Skybridge Spectrum Foundation				0003989147	10/07/09
11/01/07	WQHZ771	Skybridge Spectrum Foundation				0003989158	10/07/09
11/01/07	WQHZ772	Skybridge Spectrum Foundation				0003989148	10/07/09
11/01/07	WQHZ773	Skybridge Spectrum Foundation				0003989149	10/07/09
10/24/07	WQHZ610	Skybridge Spectrum Foundation					03/23/09