



Addendum to 800 MHz Band Reconfiguration Handbook Release 2.0

TA policies reflected:

- ADR Plan
- Cost Classification
- Educational Reimbursement
- Incumbent Labor Rate
- TA Materials Use
- Confidentiality
- New RFPF Submission Process

Material revisions to the Reconfiguration Handbook in Release 2.0 include the following:

Section	Subsection	Description of Changes
List of Acronyms		<ul style="list-style-type: none"> • Added new acronyms, including: ADR, FPR, FRA, MO&O, PFA, and RFPF.
I. Introduction		<ul style="list-style-type: none"> • Added Start Dates for Waves 1-3. • Licensees in Waves 1 - 3 should have received Information Packet mailing. If not, contact the TA. • Added reminder for all licensees to complete a POC form and update contact information in the FCC ULS. • Included text from "About the TA."
II. Overview of 800 MHz Reconfiguration	The FCC's Solution	<ul style="list-style-type: none"> • Additional guidance provided by the FCC in the MO&O released on October 3, 2005. • Added the term "interleaved." • Removal: The TA will not be contacting licensees who do not need to reconfigure to inform them of their status. • Included description of Southeastern Band Plan. • New graphic showing current, reconfigured, and Southeast bands. • Added references to Expansion and Guard Band election forms on website.
	Other Reconfiguration Options	<ul style="list-style-type: none"> • Added information on the Atlanta plan (as outlined in the MO&O). • Added information on ESMR and EA licenses. • Added information on the Expansion Band. • Added information on the Guard Band and Voluntary Guard Band Elections.



	Parties Involved in Reconfiguration	<ul style="list-style-type: none"> Added a new graphic representing the relationship between the FCC, the TA, Sprint Nextel, and vendors. Updated description of TA, LLC. Updated description of Sprint Nextel based on merger of Sprint and Nextel. Included reference to Alternate Dispute Resolution Plan. Added information on the responsibilities of vendors. Added summary of Confidentiality Policy.
	Q&A	<ul style="list-style-type: none"> Added reference to RFPF form online. Added new Q&A: If I'm in 815/16 – 860/861 MHz in the Expansion Band, do I have to move? Added reference to Atlanta Plan (per the MO&O). Added new Q&A: If I do need to reconfigure, what do I need to do now?
III. Overview of RPP	Summary	<ul style="list-style-type: none"> Clarified reconfiguration “Stages”: Each Wave is divided into two “Stages.” Stage 1 consists of Channels 1-120 licensees and Stage 2 consists of NPSPAC licensees. Updated NPSPAC Prioritization map (LA, PR, USVI moved to Wave 3) and corresponding explanation included. Added: The FCC will release a second Public Notice for starting NPSPAC reconfiguration. (This is in addition to the Starter Public Notice released for Stage 1 of each Wave.) Added Waves 2 and 3 start dates.
	Voluntary and Mandatory Negotiation Periods	<ul style="list-style-type: none"> During Mandatory Negotiations, “the licensee must send a Cost Estimate to Sprint Nextel, if they have not already done so.” TA Assistance: Added information regarding Request for TA to Communicate with Sprint Nextel and Mediation During Negotiation Periods.
	Alternate Dispute Resolution Plan	<ul style="list-style-type: none"> Added summary of the Alternate Dispute Resolution Plan. The entire plan is available on the TA’s website.
	Freeze Dates for New License Applications	<ul style="list-style-type: none"> Added information on freeze dates for new license applications.



	Q&A	<ul style="list-style-type: none"> • Canadian border area: You are considered to be within the Canadian border area if you are within 140 km (87 miles) of the Canadian border. • All NPSPAC regions along the Mexican border are in Wave 4. Licensees in Wave 4 will not begin reconfiguration until new treaties are completed between the United States and Mexico. • Added new Q&A: What if Sprint Nextel contacts me far in advance of the TA's early acceptance dates? • The voluntary negotiation period lasts from the start date for your Stage (your reconfiguration negotiation start date) through Day 90 ("start date" replaces "Day 1"). • Added new Q&A: What if I have a dispute with one of my vendors or consultants? • Updated Sprint Nextel's contact information (800MHz@Sprint.com).
IV. Overview of Licensee Reconfiguration Phases	How do I get started?	<ul style="list-style-type: none"> • Added: Prior to the start of your reconfiguration prioritization Wave, you will receive an Information Packet Mailing, which includes a request to provide appropriate contact information to the TA. However, you can complete this Point of Contact (POC) form at any time (the form is available on the TA's website). The TA's website contains current information on 800 MHz Reconfiguration and is updated frequently. • Updated guidance relating to 75-day planning window. • Updated with new RFPF process (initial submission to TA).
	Reconfiguration Implementation Phase	<ul style="list-style-type: none"> • Updated summary with new steps in Implementation Section (Section VIII). Including new step (Maintain Records and Documentation). • Added guidelines on Fraud, Waste, and Abuse.
V. Planning and Negotiation Phase	A. Complete POC Form	<ul style="list-style-type: none"> • Added: In order to ensure that all TA mailings are received in a timely fashion, all licensees should complete and return the POC Form to the TA as soon as possible. • Reminder to update information in ULS and file corrective applications before freeze. • Added: Who does this apply to? All reconfiguring licensees. • Added note that licensee of record with FCC must sign POC form. • Updated answer to "Will the TA allow licensees to modify POC information?" • Added new Q&A: What if the same POC is representing multiple organizations?



	<p>B. Submit Request for Planning Funding</p>	<ul style="list-style-type: none">• Section updated with new RFPF process.• Updated language regarding usefulness of completing RFPF prior to starting negotiations.• Added: Planning costs should NOT include costs associated with actual reconfiguration. Reconfiguration costs will be part of the Frequency Reconfiguration Agreement.• Updated list of planning costs.• A sample SOW is now included the revised Request for Planning Funding Form on the TA's website.• Use of TA-provided RFPF template is required.• Added information on Bid Package.• Added: Who does this apply to? With discussion and definition of small/large systems.• Added examples of simpler systems.• Updated labor rate instructions based on Incumbent Labor Rate Policy.• Added new step (Prepare a SOW), updated list according to new RFPF documents.• Reminder that current versions of forms are on the website.• Added notice to sign Request for Mediation on RFPF Form.• Noted that RFPF must be signed to certify minimum necessary costs when agreement is reached.• Clarified process for executing a Planning Funding Agreement.• Added documentation retention requirement and discussion about audit.• New Q&A: "Are costs for educational events considered reimbursable?"• New Q&A: "How do I determine if a cost is reimbursable?"• New Q&A: "What if I have a dispute with Sprint Nextel involving the negotiation of a Planning Funding Agreement?"
	<p>C. Document Subscriber Equipment Inventory</p>	<ul style="list-style-type: none">• Clarified level of effort allowed.• Added note regarding inventory when impacted by interoperability.• Added: Who does this apply to?• Clarified serial-level inventory.



D. Document Infrastructure Facilities Inventory	<ul style="list-style-type: none">• Clarified level of effort allowed.• Added: Who does this apply to?• Updated examples of repeater-site facilities.
E. Define Interoperability Environment	<ul style="list-style-type: none">• Included examples of interoperability.• Added: Who does this apply to?• Updated all steps with new content from Interoperability Fact Sheet.
F. Evaluate Proposed New Frequencies	<ul style="list-style-type: none">• Added information regarding online co-channel information.• Added timing considerations for licensees with multiple channels in Expansion Band, 1-120, and/or NPSPAC.• Added reference to FPR Fact Sheet.• Added: Who does this apply to?
G. Prepare Cost Estimate	<ul style="list-style-type: none">• Added information regarding sample SOW.• Added: Who does this apply to?• Added information on Standard Bid Package.• Added reference to Cost Classification Policy, with respect to Cost Estimate development.• Added guidance for developing cost estimates based on per unit basis for taking physical inventory, retuning, replacing, etc.• Added: "Vendor charges associated with responding to requests for proposals or providing bids and quotes are not reimbursable costs."• Clarified process for executing a Frequency Reconfiguration Agreement.• Included content regarding document retention (18 months post Completion Certification).
H. Negotiate Contract with Sprint Nextel	<ul style="list-style-type: none">• Updated guidance regarding TA Assistance.• Added: Who does this apply to?• Added reference: "More information on terms required for all FRAs will be made available on the TA's website."• Added reference to Confidentiality Policy.• Included reference to RPP section for more information on guidance.• Added updated ADR guidance.



VI. Payment Process		<ul style="list-style-type: none">• Updated with all Payment Process Fact Sheet content.• Updated Planning Funding language according to new RFPF submission process.• Included information on document retention for 18 months post completion certification.• Added Q&A: “Will the TA monitor payments from licensees to vendors?”• Added Q&A: “What constitutes “good cause” for Sprint Nextel’s non-payment to a licensees or vendor?”• Added Q&A: “What happens if I have a dispute with Sprint Nextel regarding a payment?”
VII. Funding Guidelines		<ul style="list-style-type: none">• Updated with Cost Classification Policy (hard costs, transaction costs).• Updated with Educational Reimbursement Policy.• Updated with Incumbent Labor Rate Policy.• Included content regarding document retention for 18 months post completion certification.
VIII. Implementation Phase		<ul style="list-style-type: none">• Added graphic explaining Reconfiguration Implementation Phase.• Updated all steps in process with updated language.• Included updated information on Completion Certification.
IX. Fraud, Waste, and Abuse		<ul style="list-style-type: none">• New section.
X. Contacts		<ul style="list-style-type: none">• Updated with Sprint Nextel’s new email address.



Transition Administrator

The Official Reconfiguration Manager

800 MHz BAND RECONFIGURATION

RECONFIGURATION HANDBOOK

February 20, 2006

800 MHz BAND RECONFIGURATION

RECONFIGURATION HANDBOOK

© 800 MHz Transition Administrator, LLC, 2006. All Rights Reserved.

Release 1.0

April 21, 2005

Release 1.1

June 3, 2005

Release 2.0

February 20, 2006

TABLE OF CONTENTS

I.	INTRODUCTION	5
II.	OVERVIEW OF 800 MHZ RECONFIGURATION.....	7
III.	OVERVIEW OF REGIONAL PRIORITIZATION PLAN	20
IV.	OVERVIEW OF LICENSEE RECONFIGURATION PHASES.....	29
V.	PLANNING AND NEGOTIATION PHASE	34
	A. Complete Point of Contact Form	34
	B. Submit Request for Planning Funding.....	37
	C. Document Subscriber Equipment Inventory	46
	D. Document Infrastructure Facilities Inventory	49
	E. Define Interoperability Environment	52
	F. Evaluate Proposed New Frequencies	55
	G. Prepare a Cost Estimate	59
	H. Negotiate the Frequency Reconfiguration Agreement with Sprint Nextel	65
VI.	PAYMENT PROCESS.....	71
VII.	FUNDING GUIDELINES.....	83
VIII.	RECONFIGURATION IMPLEMENTATION PHASE	90
IX.	FRAUD, WASTE, AND ABUSE	95
X.	CONTACTS.....	97

Parties cannot reproduce all or part of the materials in this Handbook (or other written materials) without the prior written consent of the TA. All parties interested in reproducing all or part of the materials in this Handbook (or other TA written materials) must make a written request of the TA at least ten business days in advance of the proposed reproduction. The request should clearly identify the party, the type of use proposed and the website or publication that would include the reproduction.

LIST OF ACRONYMS

ADR	Alternative Dispute Resolution
B/ILT	Business/Industrial Land Transportation
CII	Critical Infrastructure Industries
EA License	Economic Area License
ECFS	(FCC's) Electronic Comment Filing System
ESMR	Enhanced Specialized Mobile Radio
FCC	Federal Communications Commission
FPR	Frequency Proposal Report
FRA	Frequency Reconfiguration Agreement
MO&O	Memorandum Opinion and Order
NPSPAC	National Public Safety Planning Advisory Committee
PFA	Planning Funding Agreement
POC	Point of Contact
R&O	Report and Order
RFPP	Request for Planning Funding
RPP	Regional Prioritization Plan
SCADA	Supervisory Control and Data Acquisition
SMR	Specialized Mobile Radio
SOW	Statement of Work
TA	800 MHz Transition Administrator, LLC
ULS	(FCC's) Universal Licensing System

I. INTRODUCTION

As an 800 MHz licensee, you may have received a letter from the Federal Communications Commission (FCC) containing information concerning your license and the possible relocation of that license to another part of the 800 MHz Band. The FCC ordered the reconfiguration of the 800 MHz Band to minimize increasing levels of interference to critical public safety communications systems from commercial wireless carriers. As part of the 800 MHz reconfiguration effort, some licensees will be required to relocate. Sprint Nextel will fund all required relocations.

The FCC established the Transition Administrator as an independent party to oversee the administrative and financial aspects of the band reconfiguration process. 800 MHz Transition Administrator, LLC (TA) serves as the Transition Administrator for the reconfiguration of the 800 MHz Band mandated by the FCC. The TA has contracted with BearingPoint, Inc., Squire, Sanders & Dempsey L.L.P., and Baseline Telecom, Inc. to perform its duties. Among its duties, the TA establishes reconfiguration guidelines, specifies replacement channels, reviews reconfiguration Cost Estimates, monitors payment of reconfiguration costs, manages the relocation schedule, facilitates issue resolution, and administers the Alternative Dispute Resolution process. The TA uses information it receives solely for the purposes of administering the 800 MHz reconfiguration process and may disclose such information to the FCC or other authorized parties pursuant to the requirements of the 800 MHz Order or other applicable laws.

The TA submitted its Regional Prioritization Plan (RPP), which includes the relocation schedule and approach, to the FCC, and received approval from the FCC on March 11, 2005. The RPP defines four “Waves” of the National Public Safety Planning Advisory Committee (NPSPAC) regions to be reconfigured. The first Wave commenced on June 27, 2005, the second Wave commenced on October 3, 2005, and the third Wave commenced on January 3, 2006.

The TA recognizes that NPSPAC regions have not been used for licensing Critical Infrastructure Industries (CII), Business and Industrial/Land Transportation (B/ILT), and commercial systems. The FCC’s Report & Order (R&O) and the TA’s RPP use NPSPAC regions to divide the nation geographically for purposes of administering an orderly reconfiguration of the 800 MHz Band for all users. The concept of NPSPAC regions will be applied to such entities solely for reconfiguration timing purposes. If you want to know which Wave or NPSPAC region you fall under, you can go to the Call Sign Checker in the TA Tools section of the TA’s website (http://www.800TA.org/content/800MHz/call_sign.asp) and type in your call sign (if it is a non-EA license) or review the map on the same page.

This Handbook provides background information on 800 MHz reconfiguration and an overview of the RPP. It also describes the roles of the TA, Sprint Nextel, and licensees, and provides guidelines on planning for reconfiguration. It describes:

- The activities associated with planning for reconfiguration
- The steps required to execute a Frequency Reconfiguration Agreement (FRA) with Sprint Nextel
- Guidelines for allowable costs and reimbursement
- The payment process and funding guidelines

- Actions being taken to deter fraud, waste, and abuse
- Contact information for the TA and Sprint Nextel

The guidelines provided in this Handbook are designed to support reasonable and prudent reconfiguration planning activities while conforming to the FCC's requirements. The TA recognizes that there is no one "right" way to reconfigure due to the varieties and sizes of systems and the unique circumstances involved in the 800 MHz reconfiguration. The TA anticipates receiving different reconfiguration proposals based on particular system characteristics and will approve all reasonable and prudent expenses directly related to the retuning of an 800 MHz system. All licensees have the fundamental responsibility to take appropriate actions to plan and responsibly manage their reconfiguration process and to act in the utmost good faith in negotiating an FRA with Sprint Nextel.

The TA is an information source to support the reconfiguration process. You are encouraged to contact the TA with any questions and the TA will get you the information that you need. The TA will publish additions and amendments to these guidelines as warranted from time to time. Licensees are encouraged to check the TA's website (www.800TA.org) regularly for updates and important announcements.

Shortly before the start of your reconfiguration prioritization Wave, you will receive an Information Packet Mailing, which includes a request to provide appropriate contact information to the TA. The TA reminds 800 MHz stakeholders that representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC.

As of the publication of this Handbook, all licensees in Waves 1-3 should have received an Information Packet. If you are in this group and have not received this mailing, please contact the TA as soon as possible. Please note that in order for the TA to reach you with the timely and relevant information, you must complete a Point of Contact (POC) Form, available on the TA's website. The TA also encourages you to verify and/or update your information in the FCC Universal Licensing System (ULS) at <http://wireless.fcc.gov/uls>.

This Handbook has been written to provide visibility and guidance to the licensee from a number of different perspectives. In order to be thorough in explaining a unique and complex process, similar information may appear in a number of locations.

II. OVERVIEW OF 800 MHZ RECONFIGURATION

Overview of the 800 MHz Interference Issue

Over the past several years, public safety and other “high-site” radio systems—including those used by police, firefighters, emergency services, utilities, businesses, and others operating in the 806-824 MHz/851-869 MHz Band (the “800 MHz Band”)—have increasingly been experiencing equipment interference problems and communication “dead zones” as a result of technically incompatible “low-site” commercial wireless systems operating in the same or adjacent spectrum bands.

The 800 MHz interference problem surfaced in large part because the FCC’s original 800 MHz Band plan did not anticipate the extent of development and growth of “low-site” cellular-type systems. As these low-site systems (such as those of Sprint Nextel) flourished, and as high-site 800 MHz public safety systems also became more widespread, interference problems became more common. Given the paramount importance of effective first responder and emergency communications, the FCC began addressing this serious issue in April 2000.

The FCC’s Solution

On August 6, 2004, the FCC released a Report and Order (R&O) (<http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/FCC-04-168A1.pdf>) establishing a two-pronged solution to address 800 MHz interference problems in both the short-term and the long-term. The FCC has released additional guidance on the 800 MHz solution in a Supplemental Order on December 22, 2004 (<http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/FCC-04-294A1.pdf>) and in the October 5, 2005 Memorandum Opinion and Order (MO&O) (http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-174A1.pdf). Please note that the MO&O may be subject to petitions for reconsideration at the FCC.

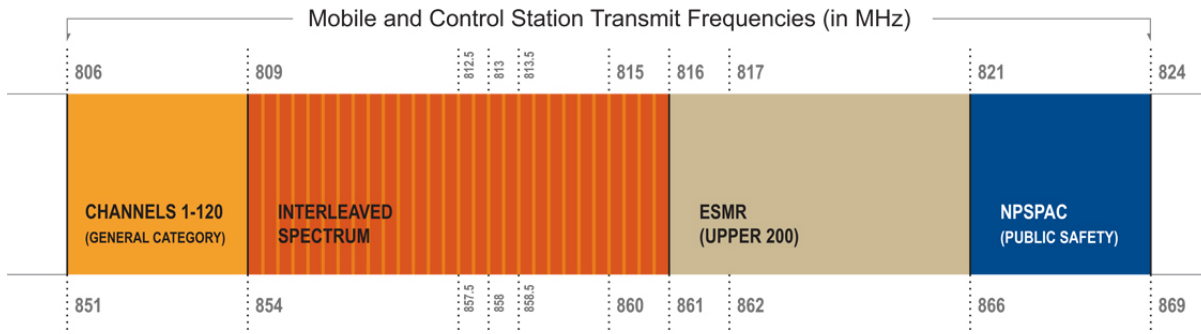
The first prong of the FCC’s solution is the creation of a technical standard for determining whether an 800 MHz licensee is entitled to interference protection and related procedures for avoiding and eliminating harmful interference. The second prong, the long-term solution, involves reconfiguration of the 800 MHz Band to separate generally incompatible high-site and low-site technologies.

The FCC’s R&O is designed to provide an effective and equitable solution with minimal disruption to users of the 800 MHz Band. Sprint Nextel will pay all reasonable and prudent expenses directly related to the retuning of an 800 MHz system, and relocated licensees will receive comparable facilities when they reconfigure. The TA was created to help licensees during the reconfiguration process and ensure that reconfiguration proceeds as smoothly and rapidly as possible. Reconfiguration of the 800 MHz Band is scheduled to be completed in 2008.

As shown below in Figure 1, the new 800 MHz Band Plan places NPSPAC users in the lower portion of the 800 MHz Band and commercial cellular-type systems in the upper portion of the 800 MHz Band, separated by:

- the 809-815/854-860 MHz interleaved band of mixed-use spectrum designated for public safety, business, and other high-site users,
- an “Expansion Band” to be used primarily by business and Specialized Mobile Radio (SMR) licensees, and
- a “Guard Band” where any 800 MHz licensee can elect to move, with less strict interference protection requirements, that is located next to the ESMR Band.

Current Channels



Reconfigured Channels



Reconfigured Southeast Channels

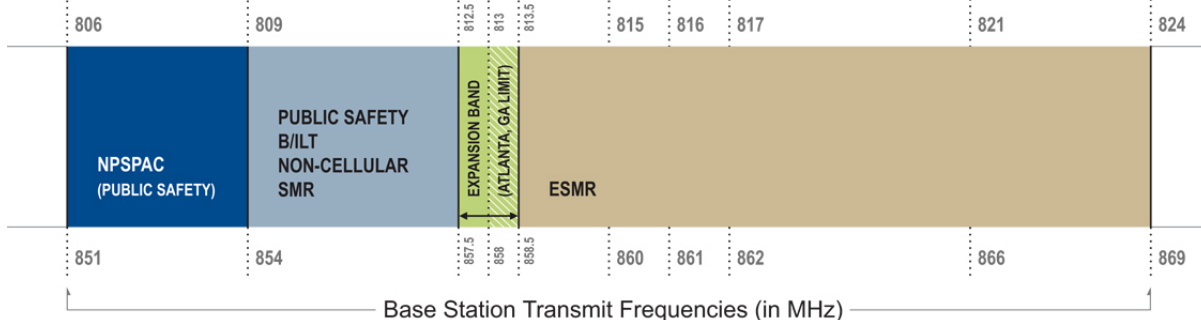


Figure 1: 800 MHz Band Reconfiguration

Southeastern United States Band Plan

As shown in Figure 1 above, there is a slightly different 800 MHz Band plan for certain areas in the Southeastern United States (sometimes known as the “Appendix G area”). The ESMR portion of the 800 MHz Band is expanded in the Southeastern U.S. and is located at 813.5-824 MHz/858.5-869 MHz. The Expansion Band in the Southeastern U.S. is located at 812.5-813.5 MHz/857.5-858.5 MHz (except that within a 70-mile radius of Atlanta, the Expansion Band is reduced to one megahertz at 813-813.5 MHz/858-858.5 MHz). There is no Guard Band in the Southeastern U.S.

The Southeastern U.S. Band Plan affects licensees in certain counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. Potentially affected licensees should consult the Second Erratum to the R&O (<http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/DOC252929A1.pdf>) for additional information.

Who Needs to Reconfigure?

Many 800 MHz systems, including public safety, CII, B/ILT, and commercial SMR systems operating in the 800 MHz Band will be required to relocate. Licensees in the 809-815/854-860 MHz interleaved band are not required to relocate. The following general guidelines apply:

- Licensees currently in the 806-809 MHz/851-854 MHz Band (current “Channels 1-120”) will be relocated.
- NPSPAC licensees currently in the 821-824 MHz/866-869 MHz Band will be relocated.
- Public safety systems currently operating in the newly created “Expansion Band” at 815-816 MHz/860-861MHz (812.5-813.5 MHz/857.5-858.5 MHz in the Southeastern U.S, except within a seventy-mile radius of Atlanta where it is located at 813-813.5MHz/ 858-858.5 MHz) will be relocated unless they elect to remain in the Expansion Band. The Expansion Band Election Form is located on the TA’s website.
- EA licensees who qualify and wish to operate ESMR systems may elect to relocate into or remain in the “ESMR Band” at 817-824 MHz/862-869 MHz (813.5-824 MHz/858.5-869 MHz in the Southeastern U.S.).
- Licensees operating below 816 MHz/861 MHz may elect to relocate to the “Guard Band” at 816-817 MHz/861-862 MHz. The Guard Band Election Form is located on the TA’s website.
- Licensees currently operating on frequencies between 809-816 MHz/854-861 MHz may elect to relocate voluntarily to the Guard Band (816-817 MHz/861-862 MHz) at their own expense and after Sprint Nextel is no longer using the spectrum.
- In the Appendix G area in the Southeastern U.S., licensees operating at 813.5-817 MHz/858.5-862 MHz may also be required to relocate.

- B/ILT licensees currently located in the 809-813 MHz/854-858 MHz interleaved band within seventy miles of Atlanta may be relocated to the Expansion Band if necessary, which is located at 813-813.5 MHz/858-858.5 MHz in the Atlanta area.
- As required by paragraph 30 of the MO&O, licensees who operate traditional “high-site” (non-ESMR) systems must be relocated out of the ESMR Band.
- Licensees generally operating within 110 km (68.4 miles) of the Mexican border and 140 km (87 miles) of the Canadian border may also need to reconfigure. Details regarding border area reconfiguration requirements will be determined in the future based on ongoing international negotiations related to the use of that spectrum.

What Are Other Reconfiguration Options?

As part of the 800 MHz reconfiguration, some licensees will have the option to relocate while some others will be required to make elections for moving to specific areas of the 800 MHz Band. Sprint Nextel will fund all required relocations.

Non-Enhanced Specialized Mobile Radio (ESMR) Economic Area (EA) Licensees: The FCC’s 800 MHz Supplemental Order allows all non-ESMR EA licensees to elect to relocate to the ESMR portion of the 800 MHz Band (817-824 MHz/862-869 MHz) or to the Guard Band. EA licensees may also relocate certain associated site-based facilities that were part of the licensee’s integrated communications system (as defined in the Memorandum Opinion and Order), as of November 22, 2004. EA licensees must contact the TA if they wish to relocate to or remain in the ESMR Band. As required by the Memorandum Opinion and Order, the TA opened a 20-day filing window, beginning on January 18, 2006 and ending on February 6, 2006, for new elections and modifications to existing elections to relocate to or remain in the ESMR Band. The TA announced the opening of the 20-day filing window in a January 11, 2006 Press Release (available at http://www.800TA.org/content/news/2006/01_11_06.asp).

A non-ESMR EA licensee electing to move to the ESMR Band will:

- Receive only its “white area” spectrum (*i.e.*, the same unencumbered area that it had before it relocated).
- Be entitled only to reasonable transactional costs associated with reconfiguration for relocating its EA licenses, but must pay all expenses (hard costs and transactional costs) associated with relocating site-based facilities to the ESMR Band.
- Be required to convert its systems, including any associated site-based facilities, to ESMR technology and to provide ESMR service by the end of its EA license term.
- Be required to certify, no later than the expiration date of its EA license, that it has converted its entire system, including any associated site-based facilities, to ESMR technology and is offering service to customers.

Expansion Band: The new Expansion Band is located at 815-816 MHz/860-861 MHz (812.5-813.5 MHz/857.5-858.5 MHz in the Southeastern U.S. and 813-813.5 MHz/858-858.5 MHz within a 70-mile radius of Atlanta), and is meant to serve as a buffer between cellular and non-cellular communications.

Public safety entities currently located in the Expansion Band must make an election if they wish to remain in the Expansion Band. Public Safety licensees electing to remain in the Expansion Band should notify the TA of their election by completing and returning an Expansion Band Election Form, available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). This Form may be submitted via email to elections@800TA.org, or by fax to 866-432-8317 (this is a voicemail service that automatically will accept faxes). The TA will accept licensee elections to remain in the Expansion Band immediately and is requesting all elections to be submitted no later than:

Wave	Expansion Band Election Deadline
1	September 27, 2005
2	January 3, 2006
3	April 3, 2006
4	July 3, 2006

Public safety entities that do not make an election to stay in the Expansion Band will be relocated at Sprint Nextel's expense to the 809-815 MHz/854-860 MHz Band (809-812.5 MHz/854-857.5 MHz in the Southeastern U.S.).

Please note that:

- Licensees who elect to remain in the Expansion Band are entitled to full interference protection.
- The Expansion Band channels from which Public Safety licensees reconfigure will be available to commercial Specialized Mobile Radio (SMR) operators after reconfiguration and will no longer be Public Safety Pool channels.
- Relocations related to licenses within, or affected by, the Canadian and Mexican border areas will be deferred pending ongoing international treaty negotiations with Canada and Mexico.

Guard Band: The new Guard Band is located at 816-817 MHz/861-862 MHz (except in the Southeastern U.S. where there is no Guard Band) and serves to separate cellular communications from Public Safety entities.

Incumbent licensees currently operating on frequencies between 806-809 MHz/851-854 MHz may elect to relocate to the Guard Band. Pursuant to the R&O, the TA established and announced Guard Band Elections in a June 29, 2005 Press Release (available at http://www.800TA.org/content/news/2005/06_29_05.asp). Licensees with Channels 1-120 electing to relocate to the Guard Band should notify the TA of their election by completing and returning a Guard Band Election Form, available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). This Form may be submitted via email

to elections@800TA.org, or by fax to 866-432-8317 (this is a voicemail service that automatically will accept faxes). The following table summarizes the deadlines for Guard Band Elections:

Wave	Guard Band Election Deadline
1	July 20, 2005
2	October 3, 2005
3	January 3, 2006
4	April 3, 2006

Incumbent licensees currently operating on frequencies between 809-816 MHz/854-861 MHz may elect to relocate voluntarily to the Guard Band at their own expense. Licensees requesting to relocate voluntarily to the Guard Band are not necessarily guaranteed that they will be relocated because licensee requests for Guard Band spectrum may exceed the available capacity. Since these relocations are not required, their timing will be in accordance with sound spectrum management policies and may not occur until after Sprint Nextel is no longer using the spectrum. Licensees electing to relocate voluntarily to the Guard Band should notify the TA of their election by completing and returning a Voluntary Guard Band Election Form, available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp), via email to elections@800TA.org, or by fax to 866-432-8317 (this is a voicemail service that automatically will accept faxes). The TA will accept Voluntary Guard Band Elections immediately and is requesting all elections be submitted no later than March 1, 2006 for licensees in Waves 1-3 and April 3, 2006 for licensees in Wave 4.

Certain incumbent 800 MHz licensees in the Southeastern U.S. (specifically, certain counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee) do not have the ability to relocate to the Guard Band. Potentially affected licensees should consult the FCC's Second Erratum to the R&O at <http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/DOC252929A1.pdf> for additional information. Relocation requests related to licenses covering the Canadian and Mexican border areas will be deferred pending ongoing international treaty negotiations with Canada and Mexico.

Other Relocation Requests: Entities with other relocation requests should communicate their requests to the TA as soon as possible, and no later than the initiation of reconfiguration negotiations with Sprint Nextel.

- Non-NPSPAC public safety licensees may request to move into the Expansion Band.
- In addition, the TA will consider other requests for voluntary relocation as spectrum limitations and sound spectrum policy permit. Such voluntary relocations will not be paid for by Sprint Nextel.

Parties Involved in Reconfiguration

As the government entity in charge of regulating interstate and international communications by radio, television, wire, satellite and cable, the FCC released the R&O ordering the reconfiguration of the 800 MHz Band. Per the FCC's R&O, specific roles have been assigned to the TA, Sprint Nextel and reconfiguring licensees in the 800 MHz reconfiguration program.

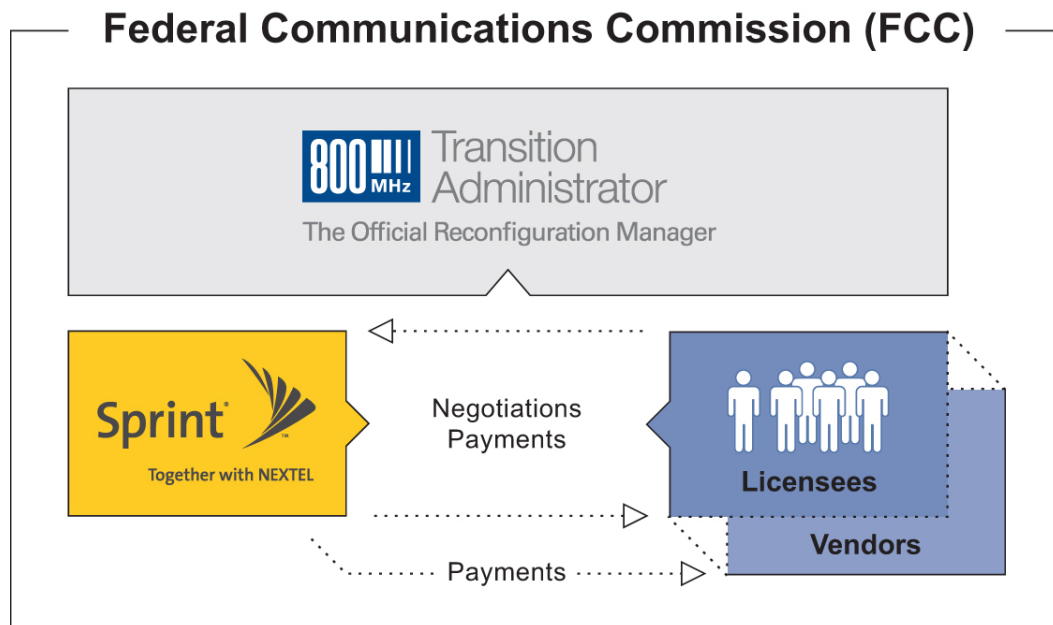


Figure 2: Parties Involved in Reconfiguration

800 MHz Transition Administrator, LLC: The FCC appointed an independent party to serve as the Transition Administrator for the 800 MHz Reconfiguration Program. 800 MHz Transition Administrator, LLC has contracted with BearingPoint, Inc., Squire, Sanders & Dempsey L.L.P., and Baseline Telecom, Inc. to perform the duties of the TA. The overriding obligation of the TA is to facilitate timely band reconfiguration in a manner that is equitable to all concerned, including the United States government. Among its duties, the TA:

- Establishes reconfiguration guidelines,
- Specifies replacement channels for relocating licensees,
- Reviews and approves Planning Funding Agreements,
- Reviews and approves Frequency Reconfiguration Agreements,
- Monitors payment of reconfiguration costs,

- Manages the relocation schedule,
- Facilitates issue resolution,
- Reports progress of the 800 MHz reconfiguration to the FCC, and
- Administers the Alternative Dispute Resolution process.

The TA is a neutral party that recognizes its obligation to follow the FCC's guidance to treat all licensees fairly and equitably with minimum disruption to both the spectrum users and the public. For purposes of operating efficiency, the TA's procedures may require reconfiguring licensees to provide information ultimately intended for the TA to Sprint Nextel, who will then forward this information to the TA (e.g., minimum cost certification).

Reconfiguring licensees should use the TA as a source of information and for assistance related to the 800 MHz reconfiguration process.

Sprint Nextel Corporation: On August 12, 2005 Sprint Corporation merged with Nextel Communications, forming Sprint Nextel. Sprint Nextel will honor all obligations that Nextel has accepted to implement the FCC's 800 MHz reconfiguration plan.

As the primary spectrum holder and commercial cellular-type service provider in the 800 MHz Band, Nextel has been an active participant in the FCC's proceedings regarding 800 MHz interference. As early as 2001, Nextel, both alone and as part of a coalition of 800 MHz licensees (the "Consensus Parties"), proposed potential resolutions to the 800 MHz interference problem. The FCC's R&O adopted some of Nextel's proposed solutions and made Nextel a party to the 800 MHz reconfiguration effort. Nextel formally accepted the related obligations established by the FCC as of February 7, 2005. Responsibilities of Sprint Nextel include:

- Paying all allowable costs for relocating other 800 MHz incumbents required to reconfigure. To ensure the completion of the reconfiguration nationwide, Sprint Nextel obtained Letters of Credit in the amount of \$2.5 billion, with no "cap" on Sprint Nextel's potential funding obligation.
- Reconfiguring many of its own 800 MHz operations. In exchange for funding the reconfiguration and giving up some of its 700 MHz and 800 MHz spectrum, Sprint Nextel will receive 10 MHz of spectrum in the 1.9 GHz Band.

Relocating licensees are expected to work closely with Sprint Nextel "in good faith" during the course of the 800 MHz reconfiguration. The FCC's R&O states that Nextel personnel shall not be "involved" in reconfiguring a licensee's system. In the Supplemental Order, the FCC clarified that this prohibition extends only to Nextel's personnel gaining direct access to an incumbent licensee's physical system. However, if the involved licensee explicitly authorized Nextel personnel to physically examine or adjust a system, then the prohibition would be inapplicable. This restriction also applies to the newly merged firm of Sprint Nextel. Sprint Nextel's involvement in each licensee's reconfiguration effort will be limited to

activities that do not directly involve reconfiguring the licensee's system, such as relocation negotiations and direct payment of reconfiguration costs.

Should any negotiations between the licensee and Sprint Nextel fail to result in an agreement, the matter will be submitted to the TA for resolution pursuant to the Alternative Dispute Resolution (ADR) process, which is outlined further in this Handbook in Section III—Overview of the Regional Prioritization Plan. Any disputes not resolved through the ADR process will be referred to the FCC for resolution.

Licenses: Reconfiguring licensees generally have the right to:

- Obtain comparable facilities.
- Have their reasonable and prudent expenses directly related to the retuning of their 800 MHz system agreed to and covered by Sprint Nextel (provided that licensees certify that the expenses are the “minimum necessary” to provide facilities comparable to those presently in use), including:
 - Funding for reconfiguration planning activities, and
 - Reasonable assistance from experts such as spectrum consultants, inventory consultants, relocation planners, engineers, legal counsel, equipment suppliers, etc.
- Avail themselves of a performance bond from a vendor if reasonably warranted.
- Seek TA assistance for resolution of disputes.

Reconfiguring licensees generally have the obligation to:

- Enter into a Frequency Reconfiguration Agreement (FRA) and a Planning Funding Agreement (if necessary) with Sprint Nextel.
- Negotiate in good faith.
- Participate in mediation of disputes when so instructed by the TA.
- Retain copies of all documents sent to Sprint Nextel as part of the reconfiguration.
- Certify that their costs reflect the minimum costs necessary to obtain comparable facilities.
- Certify when reconfiguration has been completed.
- Submit documentation to Sprint Nextel for receipt of goods/services provided by third parties to enable accurate and timely payments.
- Submit documentation in a timely manner to Sprint Nextel of the actual costs incurred if advance funding is provided. This information is subject to audit by the TA.

- If required, provide timely refund to Sprint Nextel of any overpayment of actual costs.
- Assist in the prevention of fraud, waste, and abuse in the reconfiguration program.
- Make representations to the TA with the same requirement of truth and candor as representations made to the FCC.

Vendors: Vendors providing reconfiguration services to licensees are considered to be supporting the licensee. Responsibilities of vendors include:

- Negotiating a contract directly with a licensee to perform reconfiguration or related planning activities.
- Agreeing to comply with certain vendor terms and conditions.
- Submitting appropriate documentation to Sprint Nextel to obtain payment (when the vendor and licensee have agreed that Sprint Nextel will pay the vendor directly).
- Participating in mediation of payment disputes, if necessary.
- Retaining, and producing at the request of the TA (or any auditor appointed by the TA), all documents related to the vendor's performance of reconfiguration services for each licensee for 24 months following the completion of such reconfiguration services.
- Assisting in the prevention of fraud, waste, and abuse in the reconfiguration program.

TA Confidentiality Policy

The TA Confidentiality Policy establishes the procedures that the TA will use to protect from public disclosure confidential information that Stakeholders disclose to the TA. Confidential information includes commercially sensitive information, trade secrets, and/or privileged information in written, oral, electronic, or other forms.

The TA will not use any information, including confidential information provided by licensees, for any purpose other than for fulfilling its responsibilities in connection with the reconfiguration process. The TA does not intend to disclose confidential information to the public or to individual stakeholders. The TA, however, will provide confidential information to the FCC when requested, when required, or when, in the sole judgment of the TA, such disclosure would facilitate the reconfiguration process.

Licensees that submit documents to the TA that contain confidential information should clearly mark the information "CONFIDENTIAL INFORMATION." The TA, however, reserves the right to deny confidential treatment to any information, even if marked "CONFIDENTIAL INFORMATION," that does not satisfy the definition of confidential information.

The TA will observe special procedures to protect from public disclosure any confidential information that constitutes “Protected Confidential Information.” There are four separate procedures by which the TA will designate information as Protected Confidential Information. First, the Record of any TA mediation (as defined in the TA’s ADR Plan) and any executed FRAs will always be treated as Protected Confidential Information. Second, information submitted pursuant to a Non-Disclosure Agreement (NDA) will be treated as Protected Confidential Information, if marked as such. Third, even in the absence of an NDA, the TA may designate information as Protected Confidential Information if the disclosing party makes a compelling showing that such treatment is justified. Finally, the TA General Counsel may classify information as Protected Confidential Information, where appropriate.

In any case in which the TA provides Protected Confidential Information to the FCC, the TA will file a request, pursuant to the FCC’s rules, asking that the FCC treat this information as not subject to public disclosure. The TA will further request that, if the FCC determines that this information should be disclosed, it provide advance notice to the TA, and a reasonable opportunity for the TA and/or the licensee that provided the information to challenge the FCC’s determination and/or negotiate an appropriate protective order.

Additional details are available in the complete Confidentiality Policy posted on the TA’s website (<http://www.800TA.org/content/PDF/policy/ConfidentialityPolicy.pdf>).

Q&A

How do I know if I need to reconfigure?

- If you are a non-EA licensee, you can go to the TA Tools section of the TA’s website (<http://www.800TA.org/content/800mhz/tools.asp>) for assistance with determining whether you need to reconfigure. You can enter your call sign or operating frequency to review information regarding reconfiguration. EA licensees may determine whether they need to reconfigure by examining their license information or contacting the TA. License information can be found on the FCC’s website at <http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp>.

If I do need to reconfigure, what do I need to do now?

- You should complete a Point of Contact (POC) Form as soon as possible (the Form is available on the TA’s website, www.800TA.org). The TA’s website contains current information on 800 MHz Reconfiguration and is updated frequently. More information on getting started with reconfiguration is available in this Handbook in Section IV—Overview of Licensee Reconfiguration Phases.

As an EA licensee, how do I decide whether I should make an election or a relocation request?

- If needed, reconfiguring 800 MHz licensees may obtain the services of third party contractors such as frequency consultants, relocation planners, etc. to assist in determining whether to make an election or relocation request. Anticipated costs must be submitted to Sprint Nextel in a

Request for Planning Funding or Cost Estimate. The Request for Planning Funding Form is available on the TA's website.

Can I see what other EA licensees elected?

- Licensees are asked to submit their elections to the FCC's Electronic Comment Filing System (ECFS) in WT Docket No. 02-55. To the extent elections or requests are not submitted on a confidential basis, such information will be available through the FCC.

What happens if many EA licensees select the same Band?

- In the event that spectrum in the Guard Band, the ESMR Band, or another part of the 800 MHz Band is not adequate to accommodate all eligible licensees that wish to relocate, the TA will attempt to facilitate a resolution between the affected parties or will refer the matter to the FCC. Relocation requests related to licenses covering the Canadian and Mexican border areas will be deferred pending ongoing international treaty negotiations with Canada and Mexico.

If I am currently located in the Expansion Band (815-816 MHz/860-861 MHz (812.5-813.5 MHz/857.5-858.5 MHz in the Southeastern U.S. and 813-813.5 MHz/858-858.5 MHz within a seventy mile radius of Atlanta)), do I have to move?

- If you are a Public Safety licensee currently located in the Expansion Band, you will be relocated unless you make an election to stay by submitting an Expansion Band Election Form to the TA. This Form is available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). If you are currently located in the Expansion Band, but you are not a Public Safety licensee, then you will not be relocated.

How do I know if I am affected by the Southeastern U.S. Band plan?

- You can determine whether you are affected by the Southeastern U.S. 800 MHz Band plan by reviewing Section 90.614(c) of the FCC's rules, 47 C.F.R. § 90.614(c), as amended by the Second Erratum to the R&O (<http://wireless.fcc.gov/publicsafety/800MHz/bandreconfiguration/downloads/DOC-252929A1.pdf>). The TA Tools section of the TA's website (<http://www.800TA.org/content/800mhz/tools.asp>) may also provide assistance in determining if your systems are covered by the Southeastern U.S. band plan. There is a field in the Call Sign Checker that, for any call sign entered, indicates if a given location on the license falls within the region that uses the Southeastern U.S. Band plan.
- Licensees in the Atlanta area (within a 70-mile radius of Atlanta) should review paragraphs 46-49 of the FCC's Memorandum Opinion and Order for additional information (http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-174A1.pdf).

How will the FCC ensure that Sprint Nextel pays my reconfiguration costs?

- Sprint Nextel is required to directly pay approved reconfiguration costs. If Sprint Nextel fails to do so in a timely manner as defined in the R&O, however, the TA is authorized to use funds from Sprint Nextel's Letters of Credit to cover your costs.

III. OVERVIEW OF REGIONAL PRIORITIZATION PLAN

Summary of the Regional Prioritization Plan

As required by the FCC, the TA developed a Regional Prioritization Plan (RPP) that lists the order in which the 55 NPSPAC regions will start the process of reconfiguration. NPSPAC, the National Public Safety Planning Advisory Committee, was set up by the FCC in the 1980s to determine how public safety communications in the 800 MHz channels were going to be used. NPSPAC developed a usage plan for public safety that divided the country into many different NPSPAC regions.

The TA recognizes that NPSPAC regions have not been used for licensing CII, B/ILT and commercial systems. The FCC's R&O and the TA's RPP use NPSPAC regions to divide the nation geographically for purposes of administering an orderly reconfiguration of the 800 MHz Band for all users. The concept of NPSPAC regions will be applied to such entities solely for reconfiguration timing purposes. If you want to know which Wave or NPSPAC region you fall under, you can go to the TA Tools section of the TA's website (<http://www.800TA.org/content/800mhz/tools.asp>) and type in your call sign (if it is a non EA license) or review the map on the same page.

The FCC approved the RPP on March 11, 2005. The TA considered many factors in crafting the RPP, including the FCC's reconfiguration timeline targets, population, existing instances of interference to public safety systems, the need to reconfigure interconnected regions together, workload balance, seasonal cycles, and the need for new international treaties in border areas.

Beginning with the official start date for reconfiguration, June 27, 2005, the RPP defines four "Waves" or groupings of NPSPAC regions to be reconfigured. Each Wave contains groups of NPSPAC regions that will begin reconfiguration at the same time. Each Wave is divided into two "Stages." Stage 1 consists of Channels 1-120 licensees and Stage 2 consists of NPSPAC licensees, which reconfigure after Stage 1. Figure 3 shows the NPSPAC Regions within each prioritization Wave.

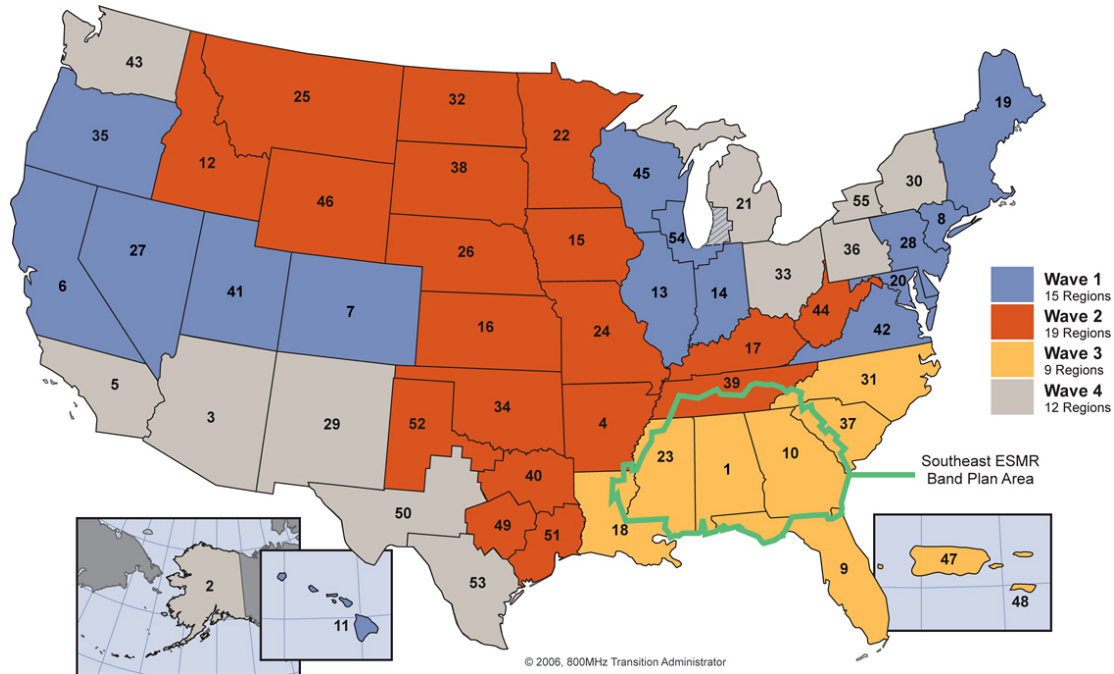


Figure 3: NPSPAC Prioritization Map

Within each NPSPAC region, licensees operating at 806-809 MHz/851-854 MHz (Channels 1-120) must relocate prior to NPSPAC licensees. The start date of each Wave triggers the beginning of the Channels 1-120 “Stage” of licensee relocation negotiations with Sprint Nextel. Physical reconfiguration will occur after licensees complete negotiations with Sprint Nextel and the TA approves the related agreements. Figure 4 shows the prioritization schedule established in the RPP.

As of September 2, 2005, the RPP was amended, moving Louisiana (NPSPAC Region 18) from Wave 2 to Wave 3 in response to the devastation caused by Hurricane Katrina. The TA will continue to monitor the recovery efforts from Hurricane Katrina and work with the public safety community and other affected 800 MHz licensees. To the extent that licensees in the Louisiana NPSPAC region may have already initiated reconfiguration negotiations with Sprint Nextel or anticipate doing so before January 3, 2006, the TA will accept submission of their agreements prior to that date and otherwise work with Sprint Nextel and affected licensees to provide the maximum flexibility necessary for reconfiguration.

As of February 3, 2006, the RPP was further amended, moving Puerto Rico and the U.S. Virgin Islands (NPSPAC Regions 47 and 48 respectively) from Wave 2 to Wave 3. The TA determined that there are unique and complex spectrum issues in Puerto Rico and the U.S. Virgin Islands that were affected by the FCC’s MO&O that required this amendment of the RPP.

The MO&O required certain areas that are not associated with NPSPAC regions to be included in reconfiguration. These areas – the Gulf of Mexico, Guam, American Samoa, and the Northern Mariana Islands – will be added to Wave 4.

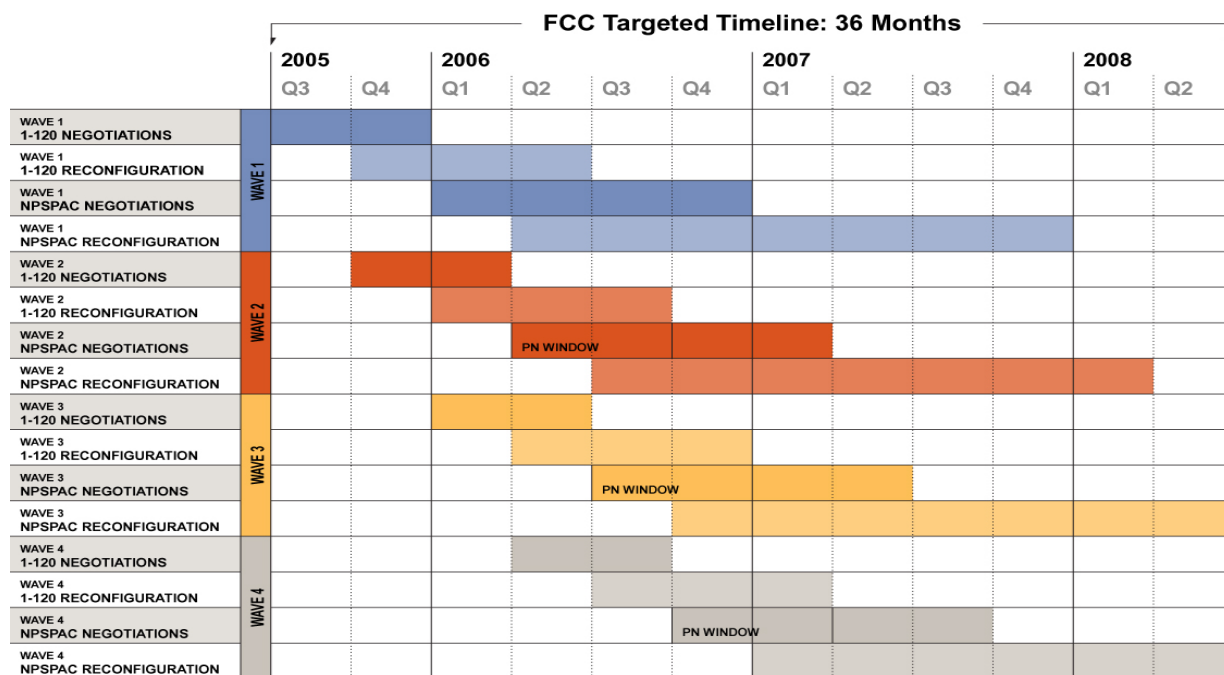


Figure 4: Prioritization Schedule

Thirty days before the start of reconfiguration for Channels 1-120 in each Wave, the FCC will issue a Starter Public Notice (PN) announcing the start date. The FCC will release another PN announcing the start date for the NPSPAC Stage of reconfiguration for each Wave. The start date for Wave 1, Stage 1 (Channels 1-120) was June 27, 2005 and, accordingly, the FCC released the Starter PN for Wave 1, Stage 1 (Channels 1-120) on May 27, 2005 (http://www.800TA.org/content/PDF/fcc_notices/FCC-ReconfigBegins.pdf). Wave 2, Stage 1 (Channels 1-120) started on October 3, 2005 and the FCC released a Starter PN on September 2, 2005 (http://www.800TA.org/content/PDF/fcc_notices/Wave2PN.pdf). Wave 3, Stage 1 (Channels 1-120) started on January 3, 2006 and the FCC released a starter PN on December 2, 2005 (http://www.800TA.org/content/PDF/fcc_notices/Wave3PN.pdf). The start date for Wave 1, Stage 2 (NPSPAC) was February 1, 2006 and the FCC released a Starter PN on December 30, 2005 (http://www.800TA.org/content/PDF/fcc_notices/W1S2_StarterPN.pdf). For Waves 2, 3, and 4, there is no way of knowing precisely when the Channels 1-120 reconfiguration Stage will be complete. Therefore in the RPP, the TA estimated "PN windows" for when the FCC will release a PN announcing the start of the NPSPAC Stage of reconfiguration for each Wave.

Wave 4 of the RPP consists of NPSPAC regions with complex licensing environments along the Canadian and Mexican borders. These regions cannot be reconfigured until new border band plan treaties are in place with Canada and Mexico, and may need to be delayed if new international treaties for border areas are not in place by April 3, 2006.

The full text of the RPP and related materials can be found on the TA's website at <http://www.800TA.org/pdfs/RPP.pdf>.

Voluntary and Mandatory Negotiation Periods

Reconfiguring 800 MHz licensees are required to either negotiate the specifics of their reconfigurations directly with Sprint Nextel, or to ask the TA to assist in the transmission of documents and other information to and from Sprint Nextel in order to reach an agreement. The FCC has established two negotiation “periods” that reconfiguring licensees and Sprint Nextel should use to reach reconfiguration agreements.

Voluntary Negotiation Period: The first or “voluntary” negotiation period lasts three months. During the voluntary negotiation period, reconfiguring licensees and Sprint Nextel may agree to negotiate Frequency Reconfiguration Agreements. Figure 5 shows the start dates for Channels 1-120 voluntary negotiations (also the start date for the Wave) and the earliest start dates for NPSPAC voluntary negotiation. The voluntary negotiation period begins on the:

- Start date for each Wave for Channels 1-120 licensees. For example, for Wave 1 Channels 1-120 licensees, the voluntary negotiation period will begin on June 27, 2005 and end on September 26, 2005.
- Dates specified by the FCC in its Public Notices for NPSPAC licensees. The TA estimated earliest NPSPAC voluntary negotiation start date based on the PN window for Wave 1 is February 1, 2006.

	WAVE 1	WAVE 2	WAVE 3	WAVE 4
Channels 1-120 Wave Voluntary Start Dates	June 27, 2005	October 3, 2005	January 3, 2006	April 3, 2006*
Earliest NPSPAC Voluntary Start Dates	February 1, 2006	May 1, 2006	August 1, 2006	November 1, 2006*

*Pending treaties with Canada and Mexico

Figure 5: Voluntary Negotiations Start Dates

Mandatory Negotiation Period: The second or “mandatory” negotiation period immediately follows the voluntary negotiation period and also lasts three months. During the mandatory negotiation period, all parties are required to negotiate in good faith, and either party may request TA involvement to help mediate a Frequency Reconfiguration Agreement. During mandatory negotiations:

- The licensee must send a Cost Estimate to Sprint Nextel, if they have not already done so.

- Sprint Nextel must make an offer to relocate the incumbent to comparable facilities.
- Licensees must either make a counter-offer to a reasonable offer from Sprint Nextel, rather than refusing an offer outright, or provide an explanation of why the offer was rejected.
- Licensees must take reasonable steps to determine the actual costs of relocation.
- Parties may not unreasonably withhold information essential to the accurate estimation of reconfiguration costs and procedures.
- Parties are required to participate in mandatory negotiations if scheduled by the TA.

The TA encourages licensees to work directly with Sprint Nextel to reach agreement on a Frequency Reconfiguration Agreement that will then be reviewed by the TA.

TA Assistance: During the voluntary and mandatory negotiation periods, the TA is available to assist licensees in the following ways.

Request for TA to Communicate with Sprint Nextel

To seek the TA's assistance in the transmission of documents and other information between parties as part of the negotiation process, licensees should complete the Request for TA to Communicate with Sprint Nextel Form and submit it to the TA as soon as possible. There have been changes to the initial version of this Form. You can access the most current Form on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). Please be sure to read the instructions and provide all the information requested in the Form. If requested, the TA will aid in the exchange of information, but cannot unilaterally bind Sprint Nextel or any incumbent licensee to any obligation associated with reconfiguration. The TA cannot and will not serve as the agent, attorney, or other representative of either a licensee or Sprint Nextel and specifically disclaims any such capacity. Use of TA assistance with communications should not be considered a substitute for legal or other expert subject matter representation in negotiations. The TA strongly encourages direct negotiations between the parties as the fastest and most effective and efficient method for reaching agreements. The TA will copy both parties on communications, as appropriate.

Mediation During Negotiation Periods

At the request of both parties during the voluntary negotiation period or at the request of either party during the mandatory negotiation period, a TA Mediator may be assigned to mediate disputes between Sprint Nextel and a licensee involving the negotiation of a Planning Funding Agreement or a Frequency Reconfiguration Agreement. To request mediation of a dispute, complete the Request for Mediation Form and the Waiver of Privilege and Confidentiality Form posted on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). Any Frequency Reconfiguration Agreement negotiated by a licensee and Sprint Nextel is subject to the approval of the TA.

Parties should also be aware that the TA may initiate a mediation proceeding during the mandatory negotiation period if the TA believes that the parties are otherwise unlikely to negotiate a Frequency

Reconfiguration Agreement. In such cases, the TA will contact the parties and inform them that mediation will occur. The parties are required to conform to the schedules established by the TA Mediator.

Alternative Dispute Resolution (ADR): If a licensee and Sprint Nextel do not agree on a Frequency Reconfiguration Agreement after the voluntary and mandatory negotiation periods (within six months after the negotiation start date), a TA Mediator will conduct mediation. During this mediation, you and Sprint Nextel will each be required to identify in writing the specific issues in dispute and your positions with respect to those issues. The mediator will schedule appropriate meetings to facilitate an agreement. Thirty working days after the end of the mandatory negotiation period, if the licensee and Sprint Nextel have not reached a Frequency Reconfiguration Agreement, the TA Mediator will compile the Record and forward a Recommended Resolution of the issues in dispute to the FCC. At this point (or at any time) you may choose to participate in expedited non-binding arbitration at your own expense. Please remember, however, that any Frequency Reconfiguration Agreement is subject to the approval of the TA. Reasonable and prudent expenses incurred in the negotiation of Frequency Reconfiguration Agreements and the mediation of disputes by TA Mediators are reimbursable, with the exception of expenses for participation in expedited, non-binding arbitration, or expenses for seeking FCC resolution of disputes.

At the request of either party, TA Mediators will mediate disputes between a licensee and Sprint Nextel concerning the implementation of their Frequency Reconfiguration Agreement, including payment disputes, until such time as the licensee's reconfiguration is complete. In the case of payment disputes involving the implementation of a Frequency Reconfiguration Agreement in which payments are made directly to the vendor providing reconfiguration services, the licensee may authorize the vendor to request and pursue mediation on its behalf.

TA Mediators are also available to assist you in resolving any other disputes that may arise in the course of reconfiguration, provided that all parties to the disputes consent to mediation by a TA Mediator. TA Mediators will also be available to assist parties in negotiating a revised Frequency Reconfiguration Agreement to replace an agreement that has been disapproved by the TA.

To receive the help of a TA Mediator, complete the Request for Mediation Form or Authorized Request for Mediation Form (in the case of disputes involving payments made directly to vendors) and the Waiver of Privilege and Confidentiality Form, available on the TA's website. The Record of a TA mediation will always be treated as Protected Confidential Information as outlined in the Confidentiality Policy.

The complete Alternative Dispute Resolution Plan is available on the TA's website (<http://www.800TA.org/content/PDF/policy/ADRPlan.pdf>). For additional guidance, the TA offers online webinars on the Alternative Dispute Resolution Plan. Please visit the TA's website (<http://www.800TA.org/content/news/webinars.asp>) for more information, including how to sign up for upcoming webinars, and to view slides and listen to recordings of previous webinars.

Freeze Dates for New License Applications

Upon release of the Starter Public Notice for each voluntary negotiation period, the FCC will freeze the acceptance of most 800 MHz applications within, and up to 70 miles outside of the affected 800 MHz NPSPEC region(s). This freeze will be effective until 30 working days after the end of the mandatory

negotiation period for the region(s). Within each Wave, there will be two freeze periods, one for all non-NPSPAC 800 MHz frequencies, and another for 800 MHz NPSPAC Channels.

The TA has used the FCC's guidance and the approved Regional Prioritization Plan (RPP) dates to calculate the dates in the chart below. The dates provided by the TA are for general guidance only. The FCC plans to issue Public Notices 30 days prior to the start of each Wave/Stage. This notice will determine the actual dates associated with the Wave and Stage in question. Licensees should not rely on the TA calculated freeze dates to determine the deadline for filing an application.

WAVE 1						
	Freeze Start/PN Date	Start of Voluntary Negotiation Period	End of Voluntary Negotiation Period	Start of Mandatory Negotiation Period	End of Mandatory Negotiation Period	End of Freeze
Channels 1-120	May 27, 2005	June 27, 2005	September 26, 2005	September 27, 2005	December 26, 2005	February 8, 2006
NPSPAC	December 30, 2005	February 1, 2006	April 30, 2006	May 1, 2006	July 31, 2006	September 12, 2006

WAVE 2						
	Freeze Start/PN Date	Start of Voluntary Negotiation Period	End of Voluntary Negotiation Period	Start of Mandatory Negotiation Period	End of Mandatory Negotiation Period	End of Freeze
Channels 1-120	September 2, 2005	October 3, 2005	January 2, 2006	January 3, 2006	April 2, 2006	May 12, 2006
NPSPAC	March 31, 2006	May 1, 2006	July 31, 2006	August 1, 2006	October 31, 2006	December 14, 2006

WAVE 3						
	Freeze Start/PN Date	Start of Voluntary Negotiation Period	End of Voluntary Negotiation Period	Start of Mandatory Negotiation Period	End of Mandatory Negotiation Period	End of Freeze
Channels 1-120	December 2, 2005	January 3, 2006	April 2, 2006	April 3, 2006	July 2, 2006	August 14, 2006
NPSPAC	June 30, 2006	August 1, 2006	October 31, 2006	November 1, 2006	January 31, 2007	March 15, 2007

WAVE 4						
	Freeze Start/PN Date	Start of Voluntary Negotiation Period	End of Voluntary Negotiation Period	Start of Mandatory Negotiation Period	End of Mandatory Negotiation Period	End of Freeze
Channels 1-120	March 3, 2006	April 3, 2006	July 2, 2006	July 3, 2006	October 2, 2006	November 15, 2006
NPSPAC	October 1, 2006	November 1, 2006	January 31, 2007	February 1, 2007	April 30, 2007	June 12, 2007

All dates are approximate and subject to FCC release of Public Notice.
 Dates for NPSPAC are earliest dates. Final dates are dependent on the conclusion of reconfiguration of the 1-120 channels for each wave.

Figure 6: Freeze Dates

Q&A

How do I find out about the status of the new border area treaties?

- The FCC will make appropriate announcements regarding the status of border treaties once definitive agreements are in place. The TA will also provide information as it becomes available on its website (www.800TA.org).

How will I know when the FCC releases a Public Notice for the start of voluntary negotiations?

- The FCC will release reconfiguration Public Notices for Channels 1-120 licensees approximately 30 days prior to the start date for each Wave. NPSPAC licensees should take care to monitor the TA's website regularly during their estimated "PN windows" mentioned above for details regarding the release of the FCC's Public Notice.

What if I operate on both Channels 1-120 and NPSPAC channels?

- Public safety entities with systems using a combination of NPSPAC channels and non-NPSPAC channels that must be reconfigured (such as Channels 1-120) should work with Sprint Nextel to develop a customized reconfiguration plan. The TA recognizes the need to address such systems to minimize disruption.

If I am in an early Wave but have a license within the Canadian border area, do I have to wait until an agreement is reached with Canada?

- You are considered to be within the Canadian border area if you are within 140 km (87 miles) of the Canadian border. In the RPP, the TA scheduled some NPSPAC regions along the Canadian border to reconfigure in the early Waves because they included high population areas such as Boston and Minneapolis that would have been unduly delayed if they were held until Wave 4. For any systems in Wave 1 (or other Waves) affected by the border, reconfiguration will be delayed until an agreement with Canada is reached. Your other systems that do not have border considerations will be reconfigured during your scheduled Wave. All NPSPAC regions along the Mexican border are in Wave 4. Licensees in Wave 4 will not begin reconfiguration until new treaties are completed between the United States and Mexico.

What if Sprint Nextel contacts me far in advance of the TA's early acceptance dates?

- It is likely that Sprint Nextel may contact certain licensees with complicated or large systems very early in the 800 MHz reconfiguration process. The TA encourages licensees to be proactive and cooperative in these situations, and the TA will be as flexible as possible in facilitating such reconfigurations.

How will I know when voluntary negotiations end and mandatory negotiations begin?

- The voluntary negotiation period begins on the start date for your Stage (your reconfiguration negotiation start date) and lasts for three months. The mandatory negotiation period begins automatically after the voluntary negotiation period ends and lasts for three months.

How does mediation begin?

- If a licensee and Sprint Nextel have not reached a Frequency Reconfiguration Agreement, the mediation period will automatically begin six months after the start date for your Stage (your reconfiguration negotiation start date). If you want the TA to help mediate your reconfiguration negotiations earlier, you may complete and submit a Request for Mediation Form, available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp).

What if I have a dispute with one of my vendors or consultants?

- The TA will generally not become involved in mediation of disputes between licensees and their vendors or consultants.

What is Sprint Nextel's contact information for negotiations?

- If you wish to contact Sprint Nextel to initiate negotiations, you should send an email to 800MHz@Sprint.com.

If the majority of the frequencies used in my system are in the NPSPAC Band, can I reconfigure ahead of my Wave or at the same time as Channels 1-120 within my NPSPAC region?

- Channels 1-120 in a NPSPAC region must be cleared of all users (most of whom are commercial entities, not public safety) to allow for NPSPAC relocation. This means NPSPAC licensees cannot move the timing of their physical relocation outside of their Wave, region or Stage.

IV. OVERVIEW OF LICENSEE RECONFIGURATION PHASES

The TA has organized the reconfiguration process and all associated activities into two phases: a Planning and Negotiation Phase and a Reconfiguration Implementation Phase.



The objectives of the Planning and Negotiation Phase are to:

- Develop your plan for implementing the reconfiguration of your system(s), and
- Execute a Frequency Reconfiguration Agreement (FRA) with Sprint Nextel for the reconfiguration of your system(s).

The objective of the Reconfiguration Implementation Phase is to execute the reconfiguration of your system(s) according to the plan and Frequency Reconfiguration Agreement developed in the first phase.

The TA has organized each phase into a series of steps that are described in this Handbook. The emphasis of this Handbook is on the Planning and Negotiation Phase to enable licensees to understand how and when to get started. While the two phases generally apply to all licensees, please note that not all of the steps are relevant for all licensees. The amount of planning required will vary significantly based on the size and complexity of the system to be reconfigured. Similarly, it is expected that the amount and types of testing required during implementation will also vary.

How do I get started?

Prior to the start of your reconfiguration prioritization Wave, you will receive an Information Packet Mailing, which includes a request to provide appropriate contact information to the TA. However, you can complete this Point of Contact (POC) Form at any time (the Form is available on the TA's website). The TA's website contains current information on 800 MHz Reconfiguration and is updated frequently.

Licensees should expect to be contacted by a Sprint Nextel representative to initiate negotiations before the end of the voluntary negotiation period for their Wave. Licensees may also contact Sprint Nextel directly to initiate negotiations. Reconfiguring licensees that are not contacted by Sprint Nextel are encouraged to contact Sprint Nextel directly or contact the TA for further instruction.

Licensees and Sprint Nextel may agree to begin voluntary negotiations before the official start date of a licensee's reconfiguration. You may also initiate early contact with Sprint Nextel if you wish, in case of a large or complex system.

The TA provides the following guidance to adhere to the RPP and allow for appropriate schedule management within each Wave and Stage. In general, Requests for Planning Funding (RFPFs) should not be made earlier than 75 days prior to a licensee’s voluntary negotiation start date. However, the TA expects that there will be situations requiring earlier submission and these should be accommodated. Valid reasons include, but may not be limited to:

- Reconfiguration of large or complex systems,
- Systems with significant interoperability issues,
- Systems spanning more than one Wave/Stage, or
- Localities/agencies with specific budgetary, contracting, or appropriations rules that require longer time frames for completion.

Large and complex systems are generally trunked systems with more than 10 channels, more than 1000 subscriber units and three or more sites. Early submissions should include an alternative start date, expected timeline, and the rationale for the request. Early submittal of RFPFs should not result in duplicative efforts. RFPFs should be submitted to the TA. The TA will track and monitor the status of RFPF negotiations. If the licensee and Sprint Nextel complete a Planning Funding Agreement (PFA) prior to the defined start date, the TA will review the PFA early.

RFPFs should be submitted to the TA via email (in PDF format if possible) to Comments@800TA.org or by fax to 888-701-4380. The TA will review to confirm that the RFPF and supporting documentation submission conforms to TA instructions and uses the TA’s template. The RFPF instructions and template are available on the TA’s website at http://www.800TA.org/content/documents/rfpf_forms.asp. This initial review does not represent TA approval of the proposed planning costs. All planning costs are subject to negotiations between Sprint Nextel and the incumbent licensee. Once the RFPF and supporting documentation are determined to conform to TA instructions, the TA will forward it to Sprint Nextel to begin negotiation of a PFA. Once a PFA is reached, it must be submitted to the TA for review of the planning costs. The TA recommends that funding for all licensee reconfiguration activities be approved by both Sprint Nextel and the TA in advance of incurring costs to ensure that they are reimbursable. Any costs incurred prior to approval are at risk for non-payment/reimbursement if both Sprint Nextel and the TA do not subsequently approve them.

The submission dates for each Wave and Stage of the RPP are identified in Figure 7:

	WAVE 1		WAVE 2		WAVE 3		WAVE 4	
	1-120	NPSAC	1-120	NPSAC	1-120	NPSAC	1-120	NPSAC
Voluntary Start Date for 1-120 / Earliest Date for NPSAC Voluntary Start	Jun. 27 2005	Feb. 1 2006	Oct. 3 2005	May 1 2006	Jan. 3 2006	Aug. 1 2006	Apr. 3 2006*	Nov. 1 2006*
Planning Window Start	Apr. 15 2005	Nov. 18 2005	Jul. 20 2005	Feb. 15 2006	Oct. 20 2005	May 18 2006	Jan. 18 2006*	Aug. 18 2006*

*Tentative dates; actual dates for this Wave depend on border treaties with Mexico and Canada

Figure 7: Start Dates for Submission of Cost Estimates

Planning and Negotiation Phase

The Planning and Negotiation Phase begins with providing your contact information to the TA and ends with the execution of a Frequency Reconfiguration Agreement. The activities for this phase include:

1. **Complete POC Form:** It is important that the TA knows how to get in touch with you to provide you with information related to reconfiguration and to ask you any questions concerning your Cost Estimate or other matters.
2. **Submit RFPF Form, if necessary:** If you have identified planning activities requiring funding or reimbursement, you are asked to submit a written request to the TA, using the RFPF Form found on the TA's website.
3. **Document Subscriber Equipment Inventory:** Identify the 800 MHz end user devices that you believe need to be either retuned, reprogrammed, or replaced during reconfiguration.
4. **Document Infrastructure Facilities Inventory:** Identify the 800 MHz network infrastructure that comprises your system.
5. **Define Interoperability Environment:** Provide notification of the reconfiguration process to all subscribers and if your system spans multiple agencies, entities, and/or geographic areas, to related entities. Gather information about these entities and their equipment for your planning purposes. Inform Sprint Nextel early about interdependencies and other agencies or entities operating on your network.
6. **Evaluate Proposed New Frequencies:** The TA will send you your proposed new frequencies and you will have the right to review them for comparability to your existing frequencies as part of your negotiations with Sprint Nextel.
7. **Prepare a Cost Estimate:** Identify in detail the costs required to reconfigure your system. If you have a complex system, you should also prepare a Statement of Work (SOW) identifying the specific tasks required to reconfigure your system. Send your Cost Estimate to Sprint Nextel as soon as possible.
8. **Negotiate the Frequency Reconfiguration Agreement with Sprint Nextel:** Work with Sprint Nextel to reach agreement on the specifics of reconfiguring your system and execute a Frequency Reconfiguration Agreement.

For additional guidance, the TA offers online webinars on Planning. Please visit the TA's website (<http://www.800TA.org/content/news/webinars.asp>) for more information, including how to sign up for upcoming webinars, and to view slides and listen to recordings of previous webinars.

Reconfiguration Implementation Phase

Please refer to Section VIII of this Handbook for more detailed information on the Reconfiguration Implementation Phase. The Reconfiguration Implementation Phase will generally consist of the following activities:

1. **File FCC Applications for License Modifications:** You may request that Sprint Nextel prepare and file required application(s) and certification(s) on your behalf. If you prefer this option, you will need to provide additional information to Sprint Nextel regarding your FCC Universal Licensing System (ULS) registration to enable Sprint Nextel to prepare and process the applications.
2. **FCC Grants License Modifications:** Note that activations of the new frequencies in your system cannot commence until the FCC grants these applications.
3. **Sprint Nextel Clears Frequencies:** Sprint Nextel will retune its network to make the new frequencies for your system available for use.
4. **Complete Pre-Reconfiguration Prep Work:** Concurrent with Sprint Nextel clearing frequencies, complete any tasks that can be performed in advance of physical reconfiguration.
5. **Reconfigure Infrastructure and Mobile Units:** Complete all tasks necessary to operate on the new frequencies while minimizing disruption to the existing operations.
6. **System Cutover:** The system cutover milestone is reached when all reconfiguration tasks are complete. At this point all infrastructure and subscriber equipment is verified to be operational on the new frequencies.
7. **Complete Acceptance Testing (if required):** Large and complex systems may conclude the retuning process with a formal acceptance test of the system to validate operations on the new frequencies.
8. **Complete FCC Surrender Applications and Other Filings:** A second set of FCC applications must be filed and granted to delete your original frequencies or assign them to Sprint Nextel. Sprint Nextel will also file applications to delete or modify frequencies from their co-channel licenses to meet FCC co-channel distance requirements around your locations. Two additional FCC filings must be made in conjunction with reconfiguration. You should file a Certification of Construction with the FCC when your new frequencies are operational, and Sprint Nextel will file a Notice of Consummation with the FCC if frequencies were assigned to Sprint Nextel for their use as part of the transaction.
9. **Licensee and Sprint Nextel Complete True Up:** At the end of the process, you and Sprint Nextel will verify that all obligations have been met and perform a “true-up” of expenditures.
10. **Licensee and Sprint Nextel Certify Completion:** Completed documentation will be filed with the TA, and the TA will record that your reconfiguration is complete.

11. **Maintain Records and Documentation:** Licensees are responsible for retaining all information related to reimbursable costs for reconfiguration. This material should be stored for a minimum of 18 months after the Completion Certification. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

Fraud, Waste, and Abuse

It is incumbent on all program participants to implement measures to deter and detect potential fraud, waste, abuse, or other illegality in the 800 MHz reconfiguration program. More information about safeguards and other actions required of program participants to combat fraud and other potential illegalities in the reconfiguration program appears in this Handbook in Section IX – Fraud, Waste, and Abuse.

V. PLANNING AND NEGOTIATION PHASE

A. Complete Point of Contact Form

All licensees will be asked to complete a Point of Contact (POC) Form to provide the TA with accurate contact information for your organization, to facilitate the TA's ability to contact you when necessary, and to ensure accurate mailing of any due payments. The TA and Sprint Nextel both require POC information, and plan to share official contact information for reconfiguration. Shortly before the start of your reconfiguration Wave, you will receive the Information Packet Mailing, which includes a copy of the POC Form. In addition, the POC Form is available on the TA website. In order to ensure that all TA mailings are received in a timely fashion, all licensees should complete and return the POC Form to the TA as soon as possible.

The TA also strongly encourages licensees to review and update their license and contact information in the FCC's Universal Licensing System (ULS) database on the FCC's website (<http://wireless.fcc.gov/uls>). Please note that it is your regulatory obligation to carefully verify the accuracy of information on your licenses and to file any corrective applications prior to the time the band is "frozen" in your NPSPAC region or after the freeze is lifted. Updating licenses or correcting errors is not a reimbursable reconfiguration expense.

What inputs are required?

- POC Form(s)

Who does this apply to?

- This applies to all reconfiguring licensees.

What is the expected outcome?

The information collected in the POC Forms will be used to:

- Create an accurate TA contact database for timely notification of proposed frequencies, other important notifications, and receipt of payments
- Augment the license records and call sign information received from the FCC to aid the TA during the frequency planning and assignment process

How do I complete this activity?

Step	Description										
1	<p>Determine who in your organization will serve as the single point of contact to the TA for reconfiguration.</p> <ul style="list-style-type: none"> The requested point of contact should be the individual that will have overall responsibility for the reconfiguration process and can coordinate the various activities associated with negotiating a Frequency Reconfiguration Agreement, evaluating proposed frequencies, and preparing Cost Estimates. If possible, you should also identify an alternate secondary contact that can be reached in the event that the primary contact is unavailable for an extended period of time. Although third parties or contractors may be listed as the primary and/or secondary contacts, the licensee of record with the FCC must sign the POC Form. 										
2	<p>Complete and return the POC Form.</p> <ul style="list-style-type: none"> Fill out the POC Form in its entirety. Remember to include your call signs and electronic signature if you download the Form from the TA's website. The POC Form can only be signed by the licensee of record with the FCC (not vendors or other third party representatives). You are advised that representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC. Return the POC Form to the TA. You can fax Forms to the TA at 888-701-4380, or email them to Comments@800TA.org. If you received multiple copies of the Form from the TA Information Packet Mailing, please include them all in your return mailing to: 800 MHz Transition Administrator, LLC, c/o Squire, Sanders & Dempsey, L.L.P., 8000 Towers Crescent Drive, 14th Floor, Tysons Corner, VA 22182-2700. Please return the POC Form according to the following timetable: <table border="1" data-bbox="313 1556 1487 1713"> <thead> <tr> <th data-bbox="313 1556 605 1608">If you are in:</th> <th data-bbox="605 1556 824 1608">WAVE 1</th> <th data-bbox="824 1556 1044 1608">WAVE 2</th> <th data-bbox="1044 1556 1263 1608">WAVE 3</th> <th data-bbox="1263 1556 1487 1608">WAVE 4</th> </tr> </thead> <tbody> <tr> <td data-bbox="313 1608 605 1713">Please return the POC Form no later than</td> <td data-bbox="605 1608 824 1713">May 27, 2005</td> <td data-bbox="824 1608 1044 1713">September 2, 2005</td> <td data-bbox="1044 1608 1263 1713">December 2, 2005</td> <td data-bbox="1263 1608 1487 1713">March 3, 2006*</td> </tr> </tbody> </table> <p style="text-align: right; margin-top: 10px;">* This date may change pending treaties with Canada and Mexico</p>	If you are in:	WAVE 1	WAVE 2	WAVE 3	WAVE 4	Please return the POC Form no later than	May 27, 2005	September 2, 2005	December 2, 2005	March 3, 2006*
If you are in:	WAVE 1	WAVE 2	WAVE 3	WAVE 4							
Please return the POC Form no later than	May 27, 2005	September 2, 2005	December 2, 2005	March 3, 2006*							

Q&A

What should I do if I receive multiple POC Forms from the TA?

- It is possible that you will receive multiple copies of this mailing, because the TA is using the information currently on file in the FCC's ULS, which lists addresses separately by call sign. Should your organization receive multiple copies, please consolidate all copies received and return them to the TA for tracking purposes, although you need only complete a single Form with your contact information.

Will the TA allow licensees to modify POC information?

- Yes, licensees may modify their POC information by resubmitting a new POC Form. Again, this Form needs to be filled out by the licensee of record with the FCC, not by vendors or other third party representatives. Please note that the TA and Sprint Nextel both require POC information, and plan to share official contact information for reconfiguration. The contact information you provide on this form may be shared with Sprint Nextel strictly for 800 MHz reconfiguration purposes.

What if the same POC is representing multiple organizations?

- Complete one POC Form for each organization, even if the organizations have the same point of contact. Call signs within an organization can and should be consolidated on one POC Form.

B. Submit Request for Planning Funding

If you require funding for activities associated with planning for reconfiguration, you may submit a Request for Planning Funding (RFPF) Form and supporting documentation to the TA either via email (in PDF format if possible) to Comments@800TA.org or by fax to 888-701-4380. The TA will review to confirm that the RFPF and supporting documentation submission conforms to TA instructions and uses the TA's template. The RFPF instructions, template, and sample packages are available on the TA's website at http://www.800TA.org/content/documents/rfpf_forms.asp. This initial review does not represent TA approval of the proposed planning costs. All planning costs are subject to negotiations between Sprint Nextel and the incumbent licensee. Once the RFPF and supporting documentation are determined to conform to TA instructions, the TA will forward the RFPF and supporting documentation to Sprint Nextel and you will negotiate with Sprint Nextel to reach a Planning Funding Agreement (PFA). Once a PFA is reached, it must be submitted to the TA for review of the planning costs.

Drafting an RFPF Form before negotiating with Sprint Nextel may prove beneficial in determining the magnitude of the planning funding needed, obtaining necessary documentation, and structuring the discussions with Sprint Nextel. In other cases, however, you may benefit from initial discussions with Sprint Nextel in order to decide if planning funding is necessary or if planning expenses should be included in the Cost Estimate.

Planning costs should NOT include costs associated with actual reconfiguration. Reconfiguration costs will be part of the Frequency Reconfiguration Agreement (FRA) as explained in Section V-G, Prepare a Cost Estimate. Planning activities may be performed by your internal personnel or external service providers and include items such as:

- Documenting your subscriber equipment and infrastructure facilities inventories,
- Evaluating proposed frequencies,
- Legal fees associated with planning and negotiating agreements,
- Engineering and implementation planning,
- Project management required in the Planning and Negotiation phases,
- Preparing a Cost Estimate (and Statements of Work for complex systems) for your reconfiguration implementation, and
- Educational events associated with reconfiguration, as described in the TA's Educational Reimbursement Policy. This policy is outlined in Section VII – Funding Guidelines. The full text of the Educational Reimbursement Policy is posted on the TA's website (<http://www.800TA.org/content/PDF/policy/EdPolicy.pdf>).

For additional guidance, the TA offers online webinars on Requests for Planning Funding. Please visit the TA's website (<http://www.800TA.org/content/news/webinars.asp>) for more information, including how to sign up for upcoming webinars, and to view slides and listen to recordings of previous webinars.

What inputs are required?

- Request for Planning Funding Form.
- Detailed justification for each cost-based activity (via an SOW—guidelines for preparation of a SOW and a sample SOW can be found on the TA's website (http://www.800TA.org/content/documents/rfpf_forms.asp). Licensees must use the RFPF and SOW templates, available on the TA's website, for their submissions.
- Firm quotes and bids from service providers who will perform planning activities. Service provider rates should be on a time and materials basis.
- Estimates of costs for your internal personnel, including hours and labor rates.
- Contact information and payment instructions for you and your vendors.

Who does this apply to?

The TA believes many licensees will have minimal to no planning costs and can include their planning costs with actual reconfiguration costs in their Cost Estimate if agreed to by Sprint Nextel. Even licensees with larger planning costs may decide to include them in their Cost Estimate if they do not require advance outside funding to complete the work. By eliminating the RFPF step, licensees may be able to reduce the time and effort required to perform reconfiguration, but the decision whether to submit an RFPF is entirely up to the licensee. The TA suggests that you consider submitting an RFPF for:

- Large systems with simulcast configurations, statewide or other geographically large systems that have complex planning requirements. Large and complex systems generally include those with over 1,000 subscriber units, 10 or more channels, and three or more sites.
- Groups of smaller systems that share systems for interoperability, where timing is critical to keeping interoperability intact during the reconfiguration.
- Other systems where the planning phase will require more than 30 business days of resource effort involving internal or external resources.

What is the expected outcome?

- An estimate of the costs of the planning activities associated with your reconfiguration. This step will not generate an estimate of costs for implementation of your reconfiguration.
- A completed RFPF Form with supporting documentation submitted to the TA to request payment for the costs of your planning activities.

- A TA-approved Planning Funding Agreement (PFA) with Sprint Nextel governing the terms of your planning funding and payment or a TA-approved FRA with Sprint Nextel that includes the costs of your planning activities in the Cost Estimate section (Schedule C).

How do I complete this activity?

Step	Description
1	<p>Determine the level of planning activities you will need to perform and decide if you will need to obtain funding for planning from Sprint Nextel.</p> <p>The specific planning activities required will vary depending on the size and scope of the licensee’s existing system.</p> <ul style="list-style-type: none"> • For many simpler systems – single-site conventional or trunked systems – there may be minimal or no planning costs for your reconfiguration, and you may not need to request and obtain funding for these costs until you negotiate funding for your reconfiguration implementation. Examples of simpler systems include: <ul style="list-style-type: none"> ▪ Systems with 1000 or fewer subscriber units serving less than five agencies. ▪ Systems requiring less than 30 business days of planning effort. • For more complex systems - inventorying your system, evaluating proposed frequency assignments, preparing your Cost Estimate, and negotiating with Sprint Nextel could be an extensive undertaking. <p>You should decide how extensive your planning activities will be and whether you will request funding for these activities from Sprint Nextel in advance of seeking funding for your reconfiguration implementation.</p>
2	<p>Select the vendors who will assist you with your planning activities and obtain firm bids and quotes.</p> <p>If you will use outside service providers to assist you with your planning activities, obtain:</p> <ul style="list-style-type: none"> • Firm quotes and bids of costs from these vendors, • Contact information, and • Payment instructions (bank information, wiring instructions, payment lock box information). <p>The TA has prepared a standardized bid package (containing template solicitations for proposals and a template rebanding agreement) that municipal licensees may wish to review when developing solicitations for selecting vendors to provide reconfiguration</p>

	<p>planning services. There is no requirement to use the standardized bid package or bidding procedures. The standardized bid package is available on the TA's website (http://www.800ta.org/content/documents/bid_package.asp).</p> <p>A template RFPF Form and a template supporting SOW with additional instructions that may be helpful in preparing SOWs for vendors are also available on the TA's website (http://www.800TA.org/content/documents/rfpf_forms.asp). For all licensees submitting an RFPF Form, a supporting SOW (outlining the system description, objectives and scope, tasks to be performed, deliverables, and resources), and a cost estimate will be required to substantiate the validity of the costs. Guidelines for preparing a supporting SOW are included in the instructions for the RFPF Form, available on the TA's website.</p>
<p>3</p>	<p><i>Estimate the amount of time and associated cost your internal personnel will spend on planning.</i></p> <p>If your internal personnel will perform planning activities, estimate the amount of hours those personnel will spend at regular time and overtime. Also, determine the hourly cost of those personnel. Licensees may use the following options for calculating hourly cost of internal personnel:</p> <ul style="list-style-type: none"> • Previously established market-based rates (when they can be substantiated) • Actual cost plus reasonable overhead, when market rates cannot be substantiated, using one of the following methods to calculate the hourly component of the cost: <ul style="list-style-type: none"> • Actual hours that will be incurred based on an internal timekeeping system. • For labor associated with planning activities, including taking physical inventory, an acceptable practice is to estimate costs on a per unit basis, based on a reasonable and supportable assessment of the time typically incurred to perform the activity and the labor costs of the personnel performing the work (including overhead). For unit based work, supporting documentation should support the number of units involved and the calculation of the per unit rate (time and labor cost assessment). Timesheets for actual labor would not be required. <p>For further details, see Section VII—Funding Guidelines or the complete Incumbent Labor Rate Reimbursement Policy available on the TA's website (http://www.800TA.org/content/PDF/policy/IncumbentLaborRatePolicy.pdf).</p>

<p>4</p>	<p><i>Prepare a Statement of Work (SOW).</i></p> <p>A supporting SOW is required describing each category of planning activity to be funded. The SOW should clearly define the work to be performed, why such work is required, and the expected outcome (<i>i.e.</i>, the benefit you will receive). The SOW is required regardless of whether the planning work will be performed by outside vendors or in-house personnel. All SOW's should include the following:</p> <ul style="list-style-type: none">• System Description• Frequency Analysis• System Inventory• Engineering/Implementation Planning• Legal• Project Management• Other <p>A template SOW with additional instructions is available on the TA's website (http://www.800TA.org/content/documents/rfpf_forms.asp). Licensees must use the RFPF/SOW template, available on the TA's website, for their submissions.</p>
<p>5</p>	<p><i>Complete a Request for Planning Funding Form.</i></p> <ul style="list-style-type: none">• Obtain and complete the RFPF Form (available on the TA's website at http://www.800TA.org/content/documents/rfpf_forms.asp). All RFPFs must be submitted in this format. Do not use this form for submitting reconfiguration implementation costs.• Provide documentation supporting the planning costs, as requested in the instructions within the form. Sample guidelines for the SOW are provided in the Request for Planning Funding Form (available on the TA's website at http://www.800TA.org/content/documents/rfpf_forms.asp) or submit the supporting documentation in another format of your choosing, so long as you provide all of the requested information.• Signing the RFPF Form at this stage is not a requirement. At the conclusion of negotiations to reach a PFA with Sprint Nextel, the RFPF Form must be signed to certify that the tasks and associated costs are the minimum necessary to support the planning activities.•

<p>6</p>	<p><i>Submit the RFPF Form to the TA</i></p> <p>Once you have completed the RFPF Form:</p> <ul style="list-style-type: none">• Submit it to the TA via email (in PDF format if possible) to Comments@800TA.org or by fax to 888-701-4380.• The TA will review to confirm that the RFPF and supporting documentation submission conforms to TA instructions and uses the TA's template. If the RFPF does not conform to TA instructions, it will be incumbent upon the licensee to resubmit their RFPF and supporting documentation, and the process will start over.• This initial review does not represent TA approval of the proposed planning costs. All planning costs are subject to negotiations between Sprint Nextel and the incumbent licensee.• Once the RFPF and supporting documentation are determined to conform to TA instructions, the TA will forward it to Sprint Nextel, with a communication to both parties requesting that a negotiation schedule be established within 5 business days.
<p>7</p>	<p><i>Negotiate a PFA with Sprint Nextel governing the terms of your planning funding and payment.</i></p> <ul style="list-style-type: none">• The TA will contact both the licensee and Sprint Nextel on a regular basis to monitor the progress of negotiations. If the process appears to be stalled, the TA will seek to obtain additional information and determine whether additional steps are warranted (<i>i.e.</i>, Request for TA to Communicate or Mediation).• Update, if necessary, the original planning cost estimates provided on the RFPF Form to reflect the final agreement. The RFPF Form and the finalized SOW will be included as schedules to the PFA with agreed upon cost amounts and payment terms. The approved SOW will become Schedule B of the PFA.• If an agreement is not reached within 60 calendar days from the date of Sprint Nextel's receipt of the RFPF from the TA, the TA will recommend that parties pursue mediation. If the parties have entered the mandatory negotiation period, then TA mediation will be mandatory. <p>Payment terms will be addressed in the PFA with Sprint Nextel. Advance payments to licensees for estimated internal labor or third-party contractor costs will need to be</p>

	<p>reconciled to documentation evidencing the actual costs, once incurred. Licensees will be required to submit copies of this documentation (timesheets, invoices, and receiving reports) to Sprint Nextel and such documentation will be subject to audit by the TA. A true-up payment for additional approved funding from Sprint Nextel, or a refund for excess funding to a licensee will be made based on the reconciliation of estimated costs to actual costs.</p> <p>The TA encourages you to request Sprint Nextel to pay your vendors directly. For more information on the payment process and reimbursable costs, please refer to Section VI – Payment Process and Section VII – Funding Guidelines of this Handbook.</p>
<p>8</p>	<p><i>Sign a Planning Funding Agreement with Sprint Nextel authorizing planning funding.</i></p> <p>After reaching agreement on the terms of the PFA, sign the PFA and return it to Sprint Nextel. Sprint Nextel will then forward the PFA to the TA for review. The TA will then either approve, reject, or issue an RFI (Request for Information) for the PFA. If the PFA is either rejected or an RFI is issued, it will be returned to Sprint Nextel for further handling. At that time, Sprint Nextel may reach out to you for additional information. If approved, the TA will return it to Sprint Nextel for execution.</p> <p>Maintain documentation to support the costs you incur for your planning activities (vendor invoices, statements of work, contracts, employee timesheets, or equivalent documentation). All supporting planning and reconfiguration documentation is subject to audit by the TA and should be retained by the licensee for a minimum of 24 months from the closing as defined in the PFA.</p>

Q&A

Am I required to submit an RFPF Form?

- No. Licensees with minimal or no planning costs do not need to submit an RFPF. Such costs can be added to the Frequency Reconfiguration Agreement’s Cost Estimate section (Schedule C).

What happens if I incur costs associated with planning activities, but do not submit an RFPF Form?

- For simplicity, you can always request funding for planning activities when you submit the required Cost Estimate for reconfiguration implementation. However, if you do not request reimbursement for your planning activities by submitting either an RFPF Form (available on the TA’s website) or a Cost Estimate (as part of your Frequency Reconfiguration Agreement), you will be at risk for non-payment/reimbursement if both Sprint Nextel and the TA do not subsequently approve these costs.

What type of documentation should I maintain to support the costs incurred for planning activities?

- You should maintain any related vendor invoices, proof of receipt of goods/services, contracts, SOWs (if prepared), your employees' timesheets (or equivalent documentation, excluding "per unit" costs), and documentation supporting internal cost structures/hourly rates (including overhead). This information will need to be provided to Sprint Nextel, unless Sprint Nextel pays the vendors directly in which case you will only need to provide proof of receipt of goods/services. The TA encourages you to request Sprint Nextel to pay your vendors directly. When advance funding is provided to the licensee, you will be required to submit this documentation to Sprint Nextel to reconcile the actual costs incurred with the estimated costs. The costs you incur and payments made to you by Sprint Nextel will be subject to audit by the TA. Only actual costs that are incurred are reimbursable. Additional details regarding reimbursable costs are available in this Handbook in Section VII – Funding Guidelines.
- All supporting planning and reconfiguration documentation is subject to audit by the TA and should be retained by the licensee for a minimum of 24 months from the closing as defined in the PFA. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

Are costs for educational events considered reimbursable?

- The TA has published an Educational Reimbursement Policy, which outlines the criteria necessary for costs associated with an educational event to be considered reimbursable. Certain Educational Events are considered reimbursable, subject to the criteria outlined in the TA's Educational Reimbursement Policy. See Section VII – Funding Guidelines for more information. The complete TA Educational Reimbursement Policy is available on the TA's website (<http://www.800TA.org/content/PDF/policy/EdPolicy.pdf>).

How do I determine if a cost is reimbursable?

- Generally, the TA will approve reasonable and prudent expenses directly related to the retuning of your 800 MHz system as reimbursable. All licensee reconfiguration costs must be included in an RFPF Form or a Cost Estimate and must be approved by Sprint Nextel and the TA. Licensees will be required to certify that the costs are the "minimum necessary" to provide facilities comparable to those presently in use. Additional guidelines are available in Section VII—Funding Guidelines and on the TA's website (www.800TA.org).

What if I have a dispute with Sprint Nextel involving the negotiation of a Planning Funding Agreement?

- At the request of both parties during the voluntary negotiation period, at the request of either party during the mandatory negotiation period, or in the discretion of the TA, a TA Mediator may be assigned to mediate disputes between Sprint Nextel and a licensee involving the negotiation of a Planning Funding Agreement or a Frequency Reconfiguration Agreement. To request mediation of a dispute, complete the Request for Mediation Form and the Waiver of Privilege and Confidentiality Form posted on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp).

C. Document Subscriber Equipment Inventory

The reconfiguration of your 800 MHz systems may require changes to subscriber radios currently in service. If necessary, conducting a subscriber equipment inventory is an allowable planning cost, eligible for reimbursement. However, unnecessary details that increase costs without adding meaningful information will not be considered allowable. The level of effort to inventory the subscriber equipment should be limited to that which is required to determine the costs to reconfigure and to complete system reconfiguration. In addition, costs for inventorying systems and equipment that are not directly affected by the 800 MHz reconfiguration are not reimbursable. The purpose of the subscriber equipment inventory is to:

- Assess the quantity of your subscriber devices that will need to be retuned, reprogrammed or replaced. You may also need to consider the need to inventory other licensees' subscriber equipment that operates on your system. Additional details are available in the section of this Handbook entitled "Define Interoperability Environment."
- Provide the information necessary to develop a detailed Cost Estimate (and SOW for complex systems).

What is the expected outcome?

This step will generate a subscriber equipment inventory to provide a reasonably accurate basis for generating a Cost Estimate (and SOW for complex systems) for reconfiguration.

Who does this apply to?

Only licensees who need to update existing inventory records. If your existing inventory records are fairly complete, it is possible that no additional inventory is required. In general, the inventory should be accurate to +/- 5%.

How do I complete this activity?

Step	Description
1	<p><i>Agree on subscriber equipment inventory documentation and plan with Sprint Nextel.</i></p> <p>Items to discuss with your equipment vendor and Sprint Nextel include:</p> <ul style="list-style-type: none"> • Level of detail and • Accuracy of existing equipment inventory. <p>You may also need to discuss the tasks to conduct an inventory and who will perform this work. If your equipment records are fairly complete, it is possible that no subscriber equipment inventory is required.</p> <p>If conducting the inventory requires funding, the costs must be agreed to with Sprint Nextel and you must submit a RFPF Form with a supporting SOW.</p>

<p>2</p>	<p><i>Consult your system vendor regarding inventory tools and special issues.</i></p> <p>Your equipment vendor may offer spreadsheet templates or other tools to assist with the subscriber equipment inventory. Such tools generally will be necessary only for licensees operating larger systems with a mix of device types. Your vendor may also provide special guidance regarding the inventory information that needs to be collected.</p> <ul style="list-style-type: none">• Often, the only detail required will be the number of devices by model number.• Collecting serial number-level detail during the Planning and Negotiation Phase will not be an allowable expense unless a valid reason exists to collect this information. For instance, on occasion, additional device information such as serial number or software revision level may be required to determine the appropriate retuning method. Licensees that require serial number information primarily for asset tracking purposes are encouraged to collect this information while retuning during the Reconfiguration Implementation Phase. <p>Your equipment vendor should be able to provide detailed information on entire model lines of equipment that must be replaced no matter what the generation of the model. There is no need do an inventory beyond make and model on these devices.</p>
<p>3</p>	<p><i>Conduct the subscriber equipment inventory, if necessary.</i></p> <p>If your existing inventory records are fairly complete and accurate to +/- 5%, it is possible that no additional inventory is required. If not, you may need to conduct an inventory of subscriber equipment. In some cases a complete inventory is not needed, only a sampling of units to confirm the models used in the system. The equipment categories and devices that are relevant for the inventory include:</p> <ul style="list-style-type: none">• Mobiles and portables;• Radio programming equipment/software;• Accessories by subscriber device model number;• Active devices in daily service;• Spare devices that are used for special events or emergencies;• Location of devices and any special issues for access during implementation;• Devices used on your licensed system that are assigned to related agencies;• Special applications such as traffic light control, fire alarm enunciators, other SCADA systems; and• Other 800 MHz systems programmed into your devices. <p>You are responsible for determining that all subscriber devices and related accessories identified for retuning, reprogramming or replacement are fully operable.</p>

4	<p><i>Assess and document your subscriber equipment inventory.</i></p> <ul style="list-style-type: none">• Assess and document the quantities of your subscriber devices that will need to be retuned, reprogrammed, or replaced. Itemize your subscriber device inventory by type (mobiles, portables, etc.) and indicate whether they need to be retuned, reprogrammed, or replaced.• Document the information necessary to create a detailed Cost Estimate (and SOW for complex systems) for reconfiguration.
----------	--

Q&A

I operate a single-channel conventional system. How detailed does the inventory need to be?

- Typically, all that will be required is a simple count of devices on your systems in order to estimate retuning costs. In your initial discussions with Sprint Nextel, you should determine if any additional detail is required.

What will happen if my estimated inventory count falls short of the actual number of units?

- Precisely counting subscriber devices is not necessary to support a Cost Estimate as long as all model types are identified. In general, the inventory should be accurate to +/- 5%. It is anticipated that during the implementation, extra subscriber devices may be shipped to handle any shortfalls.

What equipment should not be counted?

- Only subscriber equipment operating on an 800 MHz system subject to reconfiguration should be included in the inventory. Conducting an inventory of equipment operating on 150 MHz or 450 MHz or other systems is not an allowable expense.

When should I do an inventory?

- Many users may already have an active inventory in place. The existing inventory should be updated and checked to be sure relevant information is included and maintained in the normal course of operations.
- Large, complex systems that do not have an inventory should start investigating resources for conducting an inventory as an early planning item.
- Smaller and simpler systems may not need to start an inventory process much before the start of their voluntary negotiation period. The exception to this may be systems that have unusual uses like special equipment operators and/or equipment dispersed over a very wide area.

D. Document Infrastructure Facilities Inventory

All your 800 MHz systems subject to reconfiguration will require, at a minimum, the retuning of channels from your current frequencies to new frequencies. Conducting an infrastructure facilities inventory is an allowable planning cost that is eligible for reimbursement. However, the licensee must confirm that all systems included in the inventory are directly associated with the 800 MHz reconfiguration. The purpose of the infrastructure facilities inventory is to:

- Assess precisely what infrastructure equipment needs to be modified or replaced
- Provide the information necessary to develop a detailed Cost Estimate (and SOW for complex systems)

Single-channel conventional systems and small trunked systems will typically require a fairly simple infrastructure inventory. Larger, multi-site networks may require an in-depth inventory and system analysis. The level of effort to inventory the infrastructure facilities should be limited to that required to determine the costs to reconfigure and to complete system reconfiguration. The goal is to anticipate and resolve in advance any technical issues that might lead to service degradation during reconfiguration. Your system vendor or design consultant may play an important role in this process.

It is particularly important to identify any system elements that will require additional capacity during retuning. In general, this applies only to sites that regularly experience peak-period busy conditions.

What is the expected outcome?

This step will generate a detailed infrastructure inventory to support an in-depth Cost Estimate (and SOW for complex systems) for reconfiguration.

Who does this apply to?

This applies only to licensees who need to update existing inventory records. If your existing inventory records are fairly complete, it is possible that no additional inventory is required.

How do I complete this activity?

Step	Description
1	<p><i>Agree on infrastructure facilities inventory documentation and plan with Sprint Nextel.</i></p> <p>Topics to discuss with your equipment vendors and Sprint Nextel include:</p> <ul style="list-style-type: none"> • Level of detail and

	<ul style="list-style-type: none"> • Accuracy of existing infrastructure inventory. <p>If required, you may also need to discuss the tasks to conduct an inventory and who will perform this work.</p> <p>If conducting the inventory will require funding, the costs must be agreed to with Sprint Nextel and you must submit a Request for Planning Funding (RFPF) Form with a supporting SOW.</p>
<p>2</p>	<p><i>Consult your system vendor regarding inventory tools and special issues.</i></p> <p>Your equipment vendor may offer spreadsheet templates or other tools to assist with the infrastructure inventory.</p> <p>Your vendor may also provide special guidance regarding the inventory information that needs to be collected, such as infrastructure equipment that may need to be examined to determine memory size or other configuration parameters. Special procedures may be necessary to perform this work.</p>
<p>3</p>	<p><i>Conduct the infrastructure facilities inventory.</i></p> <p>The exact steps required for the infrastructure facilities inventory will depend on the system type and vendor. It is important that you identify all infrastructure elements that interact with your network. Common considerations include:</p> <ul style="list-style-type: none"> • Repeater make and model, with operating frequencies. Clearly identify systems that integrate NPSPAC channels with 1-120, interleaved, or Expansion Band channels. • Other repeater-site facilities such as combiners, antennae, duplexers, tower top preamps, receive multi-couplers, base stations, and trunking controllers. Identify any of these elements that are shared with other licensees. • Centralized facilities, consoles, and management systems that are frequency-specific. <p>It is important to identify infrastructure elements and devices that are easily overlooked including:</p> <ul style="list-style-type: none"> • Bi-directional amplifiers with precise geographic location; • Special applications such as traffic light control, fire alarm enunciators, other SCADA systems; and • Mobile data systems.

4	<p><i>Assess and document infrastructure facilities inventory.</i></p> <ul style="list-style-type: none">• Assess and document the infrastructure facilities that need to be modified or replaced.• Document the information necessary to create a detailed Cost Estimate (and SOW for complex systems) for reconfiguration.
----------	--

E. Define Interoperability Environment

It is common for 800 MHz public safety systems to be shared by multiple agencies spanning extended geographic areas. In some cases, an agency will purchase subscriber equipment to operate on channels licensed to another entity. If you are a licensee in such an environment, it is essential that you notify related agencies and ensure that all subscriber devices are included in the reconfiguration process.

Some other examples of interoperability include:

- Mutual aid or interoperability channels specifically set aside to allow different public safety entities to communicate with one another
- 800 MHz public safety systems shared by multiple agencies spanning extended geographic areas

This activity will not apply to most commercial or B/ILT licensees. It will be the responsibility of the licensee to identify unlicensed agencies operating under user agreements on their systems.

What is the expected outcome?

This step will ensure that no organizations or groups of users are missed during reconfiguration. It will also impact Implementation Planning; it will generate interoperability requirements for reconfiguration.

Who does this apply to?

Interoperability issues may not affect all licensees, especially those operating commercial systems or private businesses. However, many public safety and other governmental entities may be operating in such environments.

How do I complete this activity?

Step	Description
1	<p><i>Determine agencies operating on your licensed system.</i></p> <ul style="list-style-type: none"> • Identify all agencies and user groups that have subscriber devices operating on your system. • Determine all associated systems, devices, and processes that may be affected by your reconfiguration. • Identify unlicensed agencies operating under user agreements on your 800 MHz systems. • Determine contact information for affected entities for administrative and technical purposes.

	<ul style="list-style-type: none"> • Use the contact information to keep all affected entities informed and coordinated during reconfiguration planning and implementation. • Be prepared to provide this information when negotiating your reconfiguration agreement with Sprint Nextel.
2	<p><i>Determine other systems programmed into your subscriber equipment.</i></p> <ul style="list-style-type: none"> • Evaluate your subscribers' equipment to determine if there are other 800 MHz systems programmed into their devices and inform Sprint Nextel accordingly. This is especially important if the licensee that operates the other systems has not already contacted subscribers.
3	<p><i>Determine NPSPAC mutual aid channels.</i></p> <ul style="list-style-type: none"> • Evaluate your subscribers' equipment for any NPSPAC mutual aid channels used in your radios and networks. • Identify licensee information and agency relationships. • Notify the agencies and include them in the subscriber equipment inventory and Statement of Work preparation (if one is to be prepared) to provide to Sprint Nextel.
4	<p><i>Define communications approach for affected user communities.</i></p> <p>Recommended steps, especially for large networks in a multi-agency environment include:</p> <ul style="list-style-type: none"> • Document all interoperability requirements for your systems, devices, and NPSPAC mutual aid channels. • Establish well-defined reconfiguration communication plan for affected system users and communicate with them throughout the reconfiguration process.

5	<p><i>Define your requirements for minimum disruption and document the optimal solution.</i></p> <ul style="list-style-type: none">• Sample Solution 1: For the five nationwide mutual aid channels, maintain back-to-back repeaters on the old and new mutual aid channels for each channel and site, region-by-region, for the duration of the reconfiguration process. If appropriate, this plan should also include any region-specific mutual aid channels used in a similar fashion to the NPSPAC channels.• Sample Solution 2: Keep both sets of mutual aid channels programmed into the subscriber equipment for the duration of the reconfiguration process.• Sample Solution 3: You may also form an informal committee of agency groups that typically operate under a mutual aid plan, and document those mutual aid plans and operational requirements. Then, determine options for reconfiguration factors, such as timing, additional hardware, and programming masks that will minimize disruption to the mutual aid plans, including a process to inform users of any interim changes to the mutual aid operations.
6	<p><i>Communicate and agree upon the solution with Sprint Nextel.</i></p>

F. Evaluate Proposed New Frequencies

The TA will forward proposed new frequencies to those licensees that must change operating frequencies as part of reconfiguration. The licensee will then discuss the proposed frequencies with Sprint Nextel and reach agreement regarding comparability. The TA will generally mail the proposed frequencies to the contact listed in the FCC's Universal Licensing System (ULS) database concurrent with the designated start of the voluntary negotiation period for the Wave and Stage (Channels 1-120 or NPSPAC) in which your system falls.¹ If you have provided the TA with a point of contact, the proposed frequencies will also be mailed to that POC.

The Frequency Proposal Report (FPR) mailing is designed to familiarize you with your proposed new frequency(ies). It will include a listing of your current frequencies designated for reconfiguration, and provide current base station transmit frequencies as well as proposed replacement frequencies by call sign as of the date of the report. As an additional service, the TA has started providing a unique URL (web address) for your call sign(s) to enable you to access an expanded online version of the report with updated co-channel information. If you do not have Internet access, you may contact the TA at 888-800-8220 and provide specific call signs to request copies of those expanded reports. An FPR Fact Sheet with additional information is available on the TA's website (http://www.800TA.org/content/PDF/reconfiguration_materials/FPRFS.pdf). For additional guidance, the TA offers online webinars on Frequency Proposal Reports. Please visit the TA's website (<http://www.800TA.org/content/news/webinars.asp>) for more information, including how to sign up for upcoming webinars, and to view slides and listen to recordings of previous webinars.

The TA will evaluate proposed frequencies and location information to ascertain that you will have no co-channel licensees and locations that are not in compliance with FCC short-spacing rules found in Section 90.621 of the FCC's rules, 47 C.F.R. § 90.621, or to whom you are not already co-channelled on a short-spaced basis. Since the co-channel environment may change during the reconfiguration program, you may wish to periodically check your co-channel environment for updates. Suggested milestones for accessing an updated FPR online include:

- Prior to signing the Frequency Reconfiguration Agreement (FRA) with Sprint Nextel,
- Prior to actual reconfiguration if more than two weeks have elapsed since the FRA was signed,
- While assessing unresolved issues after reconfiguration, if any, and
- Prior to the closing for the Frequency Reconfiguration Agreement.

Please note that you may receive multiple FPR mailings if you have multiple 800 MHz licenses. You will not receive FPRs for 800 MHz licenses that do not require reconfiguration.

¹ In the Southeastern "Appendix G" region where licenses in the 858.5 – 862 MHz range are also being reconfigured, FPRs will be sent in the same time frame as for Channels 1-120, and negotiations should follow the same timeframe as for Channels 1-120.

The TA will provide proposed replacement frequencies to Public Safety licensees in the Expansion Band in conjunction with the start of the voluntary negotiation period for the 806-809/851-854 MHz (Channels 1-120) Stage. However, the timing of negotiations with Sprint Nextel and actual Expansion Band channel reconfiguration is dependent on the other 800 MHz channels the licensee may have in its system.

- If the Expansion Band licensee also has 1-120 channels (but no other 800 MHz channels requiring reconfiguration) and will be negotiating a Frequency Reconfiguration Agreement regarding 1-120 channels, it should discuss its Expansion Band channels at the same time.
- Certain licensees may be licensed for frequencies in all three Bands, Channels 1-120, Expansion Band and NPSPAC. These licensees will negotiate an agreement with Sprint Nextel for Channels 1-120 in the first Stage. Relocation of their Expansion Band channels will be dependent on their particular circumstances, considering among other things, what minimizes disruption and cost. It may be unavoidable for licensees in this case to have multiple separate reconfigurations and agreements.
- Otherwise, if licensees only have Expansion Band channels or Expansion Band and NPSPAC channels (including NPSPAC mutual aid channels), they will negotiate and reconfigure in the NPSPAC Stage.

What inputs are required?

- Completed Point of Contact (POC) Form
- Frequency Proposal Reports (FPR) sent by the TA
- Frequency Proposal Report Fact Sheet (available on the TA's website)

Who does this apply to?

It applies to all reconfiguring licensees.

What is the expected outcome?

This step will enable licensees to evaluate their proposed new frequencies for comparability and negotiate with Sprint Nextel if the proposed frequencies are not acceptable.

How do I complete this activity?

Step	Description
1	<p>Review your proposed frequencies.</p> <ul style="list-style-type: none"> • The Frequency Proposal Report Fact Sheet is available on the TA’s website (http://www.800TA.org/content/PDF/reconfiguration_materials/FPRFS.pdf), and provides assistance with understanding your FPRs. • If the proposed frequencies are acceptable, no further action is required. • If you are not sure whether the proposed frequencies are comparable to those currently within your system – especially if you have a multi-frequency and/or multi-site system – you may engage an FCC-certified Frequency Coordinator or other qualified consultant to review your proposed frequencies pursuant to the PFA or FRA guidelines.
2	<p>Reach agreement on proposed frequencies with Sprint Nextel.</p> <p>In your initial discussions with Sprint Nextel and your frequency consultant (if one has been retained), you should discuss the comparability of the new frequencies. If the proposed frequency is not comparable, or you are uncertain about the comparability:</p> <ul style="list-style-type: none"> • Provide Sprint Nextel with technical details regarding why the frequencies are not comparable (for instance, that they will not work within your combiner scheme). • Work with Sprint Nextel on identifying and agreeing to alternative frequencies. • Sprint Nextel will coordinate TA review and approval of revised frequencies.

Q&A

As a NPSPAC licensee, can I determine my new frequencies now?

- Yes. If you are a NPSPAC licensee, it is possible to determine your new frequencies now. The new Band plan will shift NPSPAC frequencies down by exactly 15 MHz. For instance, if you have the frequency pair 821.4125/866.4125 MHz, your new frequencies will be 806.4125/851.4125 MHz.

What constitutes comparable facilities?

- As stated by the FCC's R&O, comparable facilities are those that will provide the same level of service as the incumbent's existing facilities, including:
 - Equivalent channel capacity;
 - Equivalent signaling capability, baud rate, and access time;
 - Coextensive geographic coverage; and
 - Equivalent operating costs.

If it looks like my newly proposed frequencies will either not work within my current combiner scheme, or are not suitable for other reasonable causes, can they be changed?

- Yes. Every licensee has the right to evaluate the proposed frequencies (if necessary using appropriate support available through the Request for Planning Funding process) and negotiate with Sprint Nextel for alternative frequencies. Licensees must document reasonable causes that the proposed frequencies are not suitable in order to negotiate for alternative frequencies. Licensees should keep in mind that the FCC's rules ensure that they will receive comparable, not necessarily better, facilities – including frequencies.

Will I know the co-channel licensees on my new frequencies?

- Yes. Affected licensees will be provided information from the TA on non-Sprint Nextel co-channel licensees, if any, within 113 kilometers (70 miles) of their systems (for certain areas in the western United States, the applicable distance may be within 169 kilometers (105 miles) of their systems). Your FPR mailing will contain a unique URL (web address) for your call sign(s) where you can access an expanded online version of your FPR with updated information regarding your co-channel environment. If you do not have Internet access, you may contact the TA at 888-800-8220 and provide your specific call signs to request a printed copy of the expanded online version of your FPR. Please note that since the co-channel environment may change during the reconfiguration program, you are encouraged to periodically check the expanded online version of your FPR for updated information regarding your co-channel environment. An FPR Fact Sheet with additional information is available on the TA's website (http://www.800TA.org/content/PDF/reconfiguration_materials/FPRFS.pdf).
- As a general practice, if possible, the TA will propose that you and any current non-Sprint Nextel co-channel licensees move together to a new frequency. For instance, if you and Acme Towing currently operate on 806.4375/851.4375 MHz, 111 km away from each other, the TA will propose that both you and Acme Towing be moved together to a new frequency, maintaining the 111 km distance.

G. Prepare a Cost Estimate

To obtain funding for your reconfiguration, you should submit a Cost Estimate to Sprint Nextel as soon as possible. You should also enter into a Frequency Reconfiguration Agreement (FRA) governing the terms of your reconfiguration and associated funding with Sprint Nextel. The Cost Estimate defines in detail all of the costs required to reconfigure your system. If you have a complex system, you should also prepare a supporting Statement of Work (SOW), which will define in detail the tasks required to reconfigure your 800 MHz system to operate on the proposed frequency assignments. Sample SOWs are available along with the Request for Planning Funding (RFPF) Form and in the standardized bid package. The RFPF Form, with instructions, can be found on the TA's website (http://www.800TA.org/content/documents/rfpf_forms.asp). The standardized bid package can also be found on the TA's website (http://www.800TA.org/content/documents/bid_package.asp). This SOW template can be used for both an RFPF and an FRA.

Your Cost Estimate may include planning costs where an RFPF was not required (due to the minimal nature of the needed planning funds), if mutually agreed to with Sprint Nextel.

What inputs are required?

- Completed subscriber equipment inventory document.
- Completed infrastructure facilities inventory document.
- Interoperability requirements (public safety agencies).
- Proposed frequency assignments sent by the TA.
- Firm quotes and bids from service providers who will perform reconfiguration activities. Labor rates should be on a time and materials basis.
- Estimated costs of your internal personnel, including hours and hourly rates.
- Contact information and payment instructions for you and your vendors.

Who does this apply to?

This applies to all reconfiguring licensees.

What is the expected outcome?

This step will generate an estimate of planning and implementation costs required to achieve comparable facilities after reconfiguration. Agreed-upon Cost Estimates become a part of your final Frequency Reconfiguration Agreement with Sprint Nextel.

How do I complete this activity?

Step	Description
1	<p>Select vendors to assist you with your reconfiguration and obtain firm bids and quotes.</p> <p>If you plan to use outside service providers to assist you with your reconfiguration, obtain:</p> <ul style="list-style-type: none"> • Firm quotes and bids of costs from these vendors, • Contact information, and • Payment instructions (bank information, wiring instructions, payment lock box information). <p>To assist municipal licensees, the TA has prepared a standardized bid package that municipal licensees may use when developing solicitations to select vendors to provide reconfiguration services and to obtain firm bids. There is no requirement to use the standardized bid package or bidding procedures. The standardized bid package is available on the TA's website (http://www.800TA.org/content/documents/bid_package.asp) and includes:</p> <ul style="list-style-type: none"> • Request for Proposals – for use when a licensee has decided to solicit competitive proposals in order to select a vendor to provide reconfiguration services. • Invitation to Submit a Proposal – for use when a licensee has pre-qualified a particular vendor and intends to award a sole source contract for reconfiguration services. • Statement of Work (SOW) Template – for use to develop a statement of the specific reconfiguration services that must be performed by the vendor. • Rebanding Agreement – for use to contract with vendors for reconfiguration services. <p>By providing a standardized bid package, the TA is neither mandating the use of the package, nor warranting that the package is complete and will perform as intended. In addition, the information contained in the bid package is not intended to be legal advice, and the TA encourages licensees to consult with their legal advisors. Please note that licensees are responsible for selecting qualified vendors to perform the required reconfiguration services, for certifying that the requested reconfiguration funding is the minimum necessary to provide facilities comparable to those presently in use, and for complying with applicable laws. Please also note that State, local, and municipal laws may conflict with provisions of the bid package and that the TA can offer no assurance in this respect.</p>

<p>2</p>	<p><i>Estimate the amount of time and associated cost your internal personnel will spend on reconfiguration.</i></p> <p>If your internal personnel will perform reconfiguration activities, estimate the number of hours those personnel will spend at regular time and overtime and determine the hourly cost of those personnel. Licensees may use the following options for calculating hourly cost of internal personnel:</p> <ul style="list-style-type: none"> • Previously established market-based rates (when they can be substantiated). • Actual cost plus reasonable overhead, when market rates cannot be substantiated, using one of the following methods to calculate the hourly component of the cost: <ul style="list-style-type: none"> • Actual hours that will be incurred based on an internal timekeeping system. • For labor associated with the physical reconfiguration of equipment, including taking physical inventory, retuning, replacing, etc., an acceptable practice is to estimate costs on a per unit basis, based on a reasonable and supportable assessment of the time typically incurred to perform the activity and the labor costs of the personnel performing the work (including overhead). For unit based work, supporting documentation should support the number of units involved and the calculation of the per unit rate (time and labor cost assessment). Timesheets for actual labor would not be required. <p>For further details, see Section VII—Funding Guidelines or the complete Incumbent Labor Rate Reimbursement Policy available on the TA’s website.</p>
<p>3</p>	<p><i>Prepare a SOW for complex systems.</i></p> <p>For many smaller systems, such as single-site conventional or trunked systems, the SOW may not be required, and a Cost Estimate will suffice. This SOW is separate from any SOW prepared in support of a Request for Planning Funding or Planning Funding Agreement. For complex systems,</p> <ul style="list-style-type: none"> • The specific tasks and level of detail required for the SOW will depend on the size and scope of your system. • Outside consulting or vendor assistance may be required to define the system design work, plan system cutover, plan subscriber and infrastructure reprogramming, and develop the plan for coverage benchmarking, if required. • The SOW should include the scope and description of planned activities, schedule, milestones and deliverables, and required resources.

	<p>Sample SOWs are available in the Request for Planning Funding Form and in the standardized bid package. The Request for Planning Funding Form, with instructions, can be found on the TA's website (http://www.800TA.org/content/documents/rfpf_forms.asp). The standardized bid package can also be found on the TA's website (http://www.800TA.org/content/documents/bid_package.asp). If funding is required to prepare the SOW, you must submit a Request for Planning Funding and obtain approval from Sprint Nextel and the TA, prior to incurring costs.</p> <p>Vendor charges associated with responding to requests for proposals or providing bids and quotes are not reimbursable costs.</p>
<p>4</p>	<p><i>Prepare a Cost Estimate.</i></p> <p>Prepare a Cost Estimate for your reconfiguration with both outside service provider costs and internal costs. Licensees should identify costs in the Cost Estimate as either hard costs or transactional costs as defined in the Cost Classification Policy, available on the TA's website. For many smaller systems, a Cost Estimate may require just a few pages outlining the equipment to be retuned and resources that will perform the work. For complex systems, a Cost Estimate will include:</p> <ul style="list-style-type: none"> • Equipment costs – include description of equipment, vendor and model name, and number of items in current inventory. For handsets, indicate whether the item will be retuned, reprogrammed, or replaced. Where replacements are requested, indicate why retuning or reprogramming is not an option. • Engineering/technician costs/consulting/legal fees – include description of services, vendor name and contact information, number of hours estimated by activity, and associated bill rates. Indicate whether Sprint Nextel will pay the service provider or contractor directly (this is the preferred method). • Internal labor costs – include name and title of employee, description of reconfiguration activities to be performed, number of hours estimated by activity, and hourly rate. Note: If you do not pay overtime to your employees, overtime will be reimbursed at standard hourly rates. • Detailed description of non-labor costs (these are expected to be minimal).
<p>5</p>	<p><i>Submit the Cost Estimate and SOW (if prepared) to Sprint Nextel.</i></p> <ul style="list-style-type: none"> • Once you have completed the Cost Estimate (and SOW for complex systems), send the documents to Sprint Nextel via email to 800MHz@Sprint.com or by fax to 678-405-8252. • Negotiate a Frequency Reconfiguration Agreement (FRA) with Sprint Nextel governing the terms of your reconfiguration and payment. At this time you will be required to certify that the total cost estimated is the minimum cost required to obtain comparable facilities. For more information, reference the sections entitled "Negotiate Frequency Reconfiguration Agreement with Sprint Nextel" and "Funding Guidelines."

6 ***Sign a Frequency Reconfiguration Agreement (FRA) with Sprint Nextel authorizing funding for your reconfiguration.***

After reaching agreement on the terms of the FRA, sign the FRA and return it to Sprint Nextel. Sprint Nextel will then forward the FRA to the TA for review. The TA will then either approve, reject, or issue an RFI (Request for Information) for the FRA. If the FRA is either rejected or an RFI is issued, it will be returned to Sprint Nextel for further handling. At that time, Sprint Nextel may reach out to you for additional information. If approved, the TA will return it to Sprint Nextel for execution.

Maintain documentation to support the costs you incur for your reconfiguration (vendor invoices, statements of work, contracts, employee timesheets, or equivalent documentation). Licensees are responsible for retaining all information related to reimbursable costs for reconfiguration. This material should be stored for a minimum of 18 months after the Completion Certification. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

Q&A

Am I required to submit a Cost Estimate?

- Yes. To obtain funding for your system reconfiguration, you must submit a Cost Estimate to Sprint Nextel as soon as possible and certify that the costs are the minimum necessary to provide facilities comparable to those presently in use.

What happens if I underestimate the costs of my reconfiguration when I submit the Cost Estimate to Sprint Nextel?

- If at any point in time you determine that you underestimated the amount of costs required to plan for or implement your reconfiguration, you should re-estimate the costs and submit a revised Request for Planning Funding and/or Cost Estimate. Licensees must renegotiate with Sprint Nextel, and an amended FRA should be executed before incurring new or additional expenses beyond the Cost Estimate. These amendments must be reviewed and approved by the TA.

Can I perform upgrades to my system as part of the reconfiguration process, or apply the costs of reconfiguration toward the purchase of new equipment?

- The TA discourages upgrades during reconfiguration, out of concern that system upgrades or replacements may jeopardize the 36-month schedule set forth by the FCC in the R&O. However, it is possible that some licensees may have already planned for the implementation of certain system upgrades prior to adoption of the R&O. The TA will, therefore, review such plans on an individual basis, as they are put forth during the Frequency Reconfiguration Agreement negotiation process with Sprint Nextel, subject to the following considerations:
 1. Licensees must submit an implementation schedule for reconfiguration that is absent of any upgrades or replacements not required for reconfiguration, and demonstrate to the TA's satisfaction that the proposed upgrades will not lengthen this schedule.
 2. Licensees will be responsible for any costs that exceed the costs of reconfiguring the system. Licensees must therefore submit a Cost Estimate for the full reconfiguration of the system, absent of any upgrades or replacements not required for reconfiguration, and certify that the costs in this Cost Estimate are the "minimum necessary" to provide facilities comparable to those presently in use. The TA will evaluate and approve costs only on the basis of this Cost Estimate.
 3. Licensees must demonstrate to the TA that the funding needed for incremental costs will be approved and available prior to commencement of physical reconfiguration.
 4. Licensees must demonstrate that all vendors involved in the upgrade have committed necessary resources to accomplishing the upgrade in a timely manner and can deliver all necessary hardware and software in a timely manner.
 5. Licensees that upgrade either frequency-dependent infrastructure or end user devices must certify that the upgraded facilities will be comparable.
- Licensees should also note that any upgrade that requires a change in licensing parameters that subsequently alters a coverage contour, such as moving a site or increasing antennae height, cannot be filed as part of a reconfiguration application. Such changes would require the filing of a modification application with the FCC, which application should be filed and preferably granted prior to the start of reconfiguration. Because the MO&O generally prohibits changes in licensing parameters during reconfiguration, a modification application filed during the application freeze would need to be accompanied by a request for waiver of the FCC's rules.

H. Negotiate the Frequency Reconfiguration Agreement with Sprint Nextel

Negotiating and successfully completing a Frequency Reconfiguration Agreement (FRA) is a critical step in the reconfiguration process. You may have previously reached a Planning Funding Agreement with Sprint Nextel regarding costs and activities required to perform reconfiguration planning based on a Request for Planning Funding. These planning activities that 800 MHz licensees conduct in preparation for reconfiguration (e.g., inventories, frequency evaluation, development of Cost Estimates, etc.) are used as important inputs to the actual FRA you will negotiate with Sprint Nextel.

Once agreement has been reached on a licensee's Cost Estimate for reconfiguration (and SOW for complex systems), Sprint Nextel will generally develop the first draft of the FRA for review by the licensee, and/or its legal counsel.

Activities related to negotiating Frequency Reconfiguration Agreements potentially include:

- Establishing and maintaining communications channels with Sprint Nextel.
- Participating in negotiations.
- Obtaining the assistance of legal counsel to help with FRA negotiations and review (if desired).
- Requesting that the TA aid in the exchange of information necessary to enable meaningful FRA negotiations between the parties by completing a Request for TA to Communicate with Sprint Nextel Form (if necessary). The Form is available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). If requested, the TA will aid in the exchange of information, but cannot unilaterally bind Sprint Nextel or any incumbent licensee to any obligation associated with reconfiguration. The TA cannot and will not serve as the agent, attorney, or other representative of either a licensee or Sprint Nextel and specifically disclaims any such capacity. Use of TA assistance with communications should not be considered a substitute for legal or other expert subject matter representation in negotiations. The TA strongly encourages direct negotiations between the parties as the fastest and most effective and efficient method for reaching agreements. The TA will copy both parties on communications, as appropriate.
- Obtaining TA assistance with the mediation of disputes preventing the negotiation of an FRA by completing a Request for Mediation Form (if necessary). The Form is available on the TA's website (http://www.800TA.org/content/documents/reconfig_forms.asp). If you cannot reach agreement with Sprint Nextel without outside assistance, the TA may, in its discretion, provide mediation assistance at the request of both parties during the voluntary negotiation period and at the request of one party during the mandatory negotiation period. More detail regarding mediation assistance is available in this Handbook in Section III—Overview of Reconfiguration Prioritization Plan.

What inputs are required?

- Completed and approved Request for Planning Funding Form (if necessary).
- Agreement on the Cost Estimate (and SOW for complex systems) between you and Sprint Nextel, with TA approval (if negotiating a Frequency Reconfiguration Agreement).
- Your Point of Contact and/or legal counsel.
- Completed Request for TA to Communicate with Sprint Nextel Form, available on the TA’s website (if necessary).
- Completed Request for Mediation Form, available on the TA’s website (if necessary).

Who does this apply to?

This applies to all reconfiguring licensees.

What is the expected outcome?

This step will generate an approved Frequency Reconfiguration Agreement between you and Sprint Nextel enabling the physical reconfiguration to begin.

How do I complete this activity?'

Step	Description
1	<p><i>Enter into Frequency Reconfiguration Agreement negotiations with Sprint Nextel.</i></p> <p>Licensees seeking a Planning Funding Agreement to obtain advance planning funds will need to submit a Request for Planning Funding Form to the TA (http://www.800TA.org/content/documents/rfpf_forms.asp). Otherwise, licensees should expect to be contacted by a Sprint Nextel representative to initiate negotiations during the voluntary negotiation period for their given Wave and Stage.</p> <p>Once you and Sprint Nextel have agreed on a Cost Estimate (and SOW for complex systems), Sprint Nextel will generally develop an initial draft of the Frequency Reconfiguration Agreement for review and further negotiation by the licensee and/or its legal counsel.</p> <ul style="list-style-type: none"> • If requested by a party in a "Request for TA to Communicate" Form, the TA will aid in the exchange of information necessary to enable meaningful FRA negotiations between the parties.

	<ul style="list-style-type: none"> • If you cannot reach agreement with Sprint Nextel without outside assistance, the TA may, at its discretion, provide mediation assistance at the request of both parties during the voluntary negotiation period and at the request of one party during the mandatory negotiation period. • Licensees may seek assistance from legal counsel with FRA negotiation and review.
<p>2</p>	<p><i>Reach agreement on key terms and conditions.</i></p> <p>Upon approval of licensee’s Cost Estimate (and SOW for complex systems), Sprint Nextel and the licensee will negotiate toward agreement on the estimated requirements and costs of the reconfiguration.</p> <p>Key terms and conditions to be negotiated include:</p> <ul style="list-style-type: none"> • Agreement on the reconfiguring licensee’s new frequencies (<i>i.e.</i>, that they are comparable); • The overall costs and timetable for physical reconfiguration; • A Cost Estimate (and SOW for complex systems); • Transactional costs, such as fees for attorneys and fees for consultants (for more information, see Section VII—Funding Guidelines); • Payment terms; and • Who will prepare and file FCC applications. <p>Some of the provisions in Frequency Reconfiguration Agreements are required by the FCC’s R&O or have been prescribed by the TA and may not be altered by the parties without the TA’s consent. More information on terms required for all FRAs will be made available on the TA’s website.</p>
<p>3</p>	<p><i>Provide required certifications.</i></p> <p>The FCC’s R&O requires a reconfiguring licensee to certify that the funds requested for reconfiguration are the “minimum necessary to provide facilities comparable to those presently in use.” The licensee must also certify, to the best of its knowledge, that any vendor costs listed in the Cost Estimate are comparable to costs that the vendor previously charged the licensee for similar work. Your Frequency Reconfiguration Agreement will contain certifications to address these requirements.</p> <p>Upon completion of your reconfiguration, the R&O also requires a reconfiguring licensee and Sprint Nextel to certify that all necessary reconfiguration work has been completed and that Sprint Nextel and the licensee agree on the sum paid for such work. More information on the Completion Certification is available in this Handbook in Section VIII—Reconfiguration Implementation Phase.</p>

<p>4</p>	<p><i>Submit draft to TA for review.</i></p> <p>When Sprint Nextel and the licensee have reached a verbal agreement on the estimated cost, Sprint Nextel will submit to the TA a transaction summary that will include the initial Cost Estimate (and SOW for complex systems) agreed upon by Sprint Nextel and licensee. This initial submission to the TA by Sprint Nextel allows the TA to review the size, complexity, and scope of tasks required to reconfigure the system in question. The submission may make review of the final FRA, once submitted, more efficient and timely.</p> <p>During this time, the licensee will continue to negotiate with Sprint Nextel. Once reaching agreement on the terms of the FRA, sign the FRA and return it to Sprint Nextel. Sprint Nextel will submit the FRA to the TA for review and approval prior to execution. (If the parties choose to negotiate a Planning Funding Agreement earlier in the process, the final version of that agreement also would be submitted to the TA for review and approval prior to execution.)</p>
<p>5</p>	<p><i>Receive TA feedback or approval.</i></p> <p>Upon receipt, the TA will review the Planning Funding Agreement (if applicable), the transaction summary, and the Frequency Reconfiguration Agreement in a timely manner.</p> <p>The TA's primary goals are to ensure that the Cost Estimates cover reasonable and prudent expenses directly related to the retuning of an 800 MHz system and that the Frequency Reconfiguration Agreement is consistent with the FCC's R&O. More information on reimbursable expenses is available in this Handbook in Section VII—Funding Guidelines.</p> <p>The TA then will either:</p> <ul style="list-style-type: none"> • Approve the agreement, • Request additional information for further review and analysis, or • Reject the agreement and provide an explanation and/or recommended corrections. <p>If the FRA is either rejected or is issued an RFI, it will be returned to Sprint Nextel for further handling. At that time, Sprint Nextel may reach out to the licensee for additional information. Parties should comply with the TA's instructions in an effort to obtain approval.</p>
<p>6</p>	<p><i>Execute approved Frequency Reconfiguration Agreement.</i></p> <p>Once the TA approves the Frequency Reconfiguration Agreement, the TA will return the document to Sprint Nextel for execution. The parties may then commence reconfiguration planning or actual reconfiguration, as the case may be and pursuant to the terms of the</p>

<p>agreement. Sprint Nextel will provide a copy of the signed Frequency Reconfiguration Agreement, and any related documents, when executed, to the TA. All executed Frequency Reconfiguration Agreements will always be treated as Protected Confidential Information as outlined in the TA Confidentiality Policy.</p> <p>Licensees must negotiate with Sprint Nextel to amend their Frequency Reconfiguration Agreement with Sprint Nextel before incurring new or additional expenses beyond the Cost Estimate, or when any additional changes are contemplated to the Agreement. These amendments must be reviewed and approved by the TA.</p>

More detail regarding the voluntary and mandatory negotiation periods is available in this Handbook in Section III—Overview of Reconfiguration Prioritization Plan, or on the TA’s website.

Parties negotiating Planning Funding Agreements or Frequency Reconfiguration Agreements can also request the TA to become involved in mediating disagreements or similar issues. For example, both parties may request TA mediation assistance during the voluntary negotiation period and one party may request TA mediation during the mandatory negotiation period. In such cases, interested parties should complete a Request for Mediation Form (available on the TA’s website at http://www.800TA.org/content/documents/reconfig_forms.asp) and submit it to the TA as soon as possible.

Parties should be aware that the TA may initiate a mediation proceeding during the mandatory negotiation period if the TA believes that the parties are otherwise unlikely to negotiate a Frequency Reconfiguration Agreement. In such cases, the TA will contact the parties and inform them that mediation will occur. The parties are required to conform to the schedules established by the TA Mediator.

If the parties fail to negotiate a Frequency Reconfiguration Agreement during the six-month (combined) voluntary and mandatory negotiation periods, they will be required to participate in a 30 working day mediation process designed to help the parties successfully negotiate a Frequency Reconfiguration Agreement. A TA Mediator will conduct the mediation. If this mediation does not result in a Frequency Reconfiguration Agreement, the TA will refer the matter to the FCC for resolution. Reasonable and prudent expenses incurred in the negotiation of Frequency Reconfiguration Agreements and the mediation of disputes are reimbursable, with the exception of expenses for participation in expedited, non-binding arbitration, or expenses for seeking FCC resolution of disputes. However, licensees found not to be acting in good faith during negotiations or mediation may not be able to recover their expenses. Additional details regarding TA mediation and the Alternative Dispute Resolution Plan are available in this Handbook in Section III – Overview of the Reconfiguration Prioritization Plan. The complete Alternative Dispute Resolution Plan is available on the TA’s website (<http://www.800TA.org/content/PDF/policy/ADRPlan.pdf>).

Q&A

Can the TA negotiate with Sprint Nextel for me?

- No. Although the TA is available to aid in the exchange of information necessary to enable meaningful FRA negotiations between the parties, the TA cannot negotiate with Sprint Nextel on behalf of a reconfiguring licensee or serve as your agent, attorney, or in any other representative capacity. The TA cannot unilaterally bind Sprint Nextel or any incumbent licensee to any obligation associated with reconfiguration. Use of TA assistance with communications should not be considered a substitute for legal or other expert subject matter representation in negotiations. The TA strongly encourages direct negotiations between the parties as the fastest and most effective and efficient method for reaching agreements. You may obtain the assistance of legal counsel for your negotiations as a reimbursable reconfiguration cost.

VI. PAYMENT PROCESS

The FCC charged Sprint Nextel with funding the reconfiguration costs of affected licensees. To ensure that sufficient funding is available for the reconfiguration, the FCC required Sprint Nextel to obtain irrevocable Letters of Credit in the amount of \$2.5 billion as security for payment of affected licensees' reconfiguration costs.

In order to obtain funding for reconfiguration or related planning activities, licensees must enter into a Frequency Reconfiguration Agreement or Planning Funding Agreement with Sprint Nextel, and these agreements must be approved by the TA. Licensees are required to submit estimates of the cost of their reconfiguration or planning activities defining the scope and cost of the work as soon as possible, together with instructions to Sprint Nextel to pay the licensee, its vendors or both. Licensees are free to use their own personnel or vendors to perform reconfiguration and related planning activities.

When vendors will perform some or all reconfiguration or related planning activities, licensees will contract directly with vendors for that work. Licensees and vendors are free to negotiate the scope of work, pricing arrangement and payment terms (such as milestone-based billing, time-and-materials up to a "not-to-exceed" amount, etc.), subject to the approval by Sprint Nextel and the TA of the licensee's cost estimate for its reconfiguration and related planning activities. The licensee/vendor agreements also should specify whether the vendor will be paid by the licensee or by Sprint Nextel.

By accepting payment from funds provided by Sprint Nextel for the reconfiguration or related planning services, each vendor shall be deemed to have agreed to comply with certain vendor terms and conditions. These terms and conditions shall apply to vendors receiving payments for performing reconfiguration services made on or after March 1, 2006.

Sprint Nextel will make the following types of payments:

- Direct payments to vendors who provide goods and services to licensees for their reconfigurations and associated planning activities as agreed to with licensees.
- Payments directly to licensees for:
 - Costs incurred by licensee personnel in performing reconfiguration or planning activities.
 - Vendor costs paid directly by the licensee.

The TA will monitor the payment process to ensure that Sprint Nextel pays licensees and vendors according to the agreed payment terms in the TA-approved Frequency Reconfiguration Agreement or Planning Funding Agreement. If Sprint Nextel fails to pay either the licensee or its vendors within 30 days of the applicable Payment Obligation Date and fails to show good cause for such non-payment, the TA will issue a draw on the Letters of Credit to make such payment. In the event of a payment dispute, mediation before the TA may be available.

Payment Process Overview

Following is an outline of steps that licensees should follow in the Payment Process. Several of these steps are described in more detail within this Handbook. In those cases, references are made to the relevant sections within the Handbook.

Step	Description
1	<p><i>Submit a Cost Estimate (and Request For Planning Funding, if necessary) to Sprint Nextel</i></p> <p>To obtain funding for reconfiguration:</p> <ul style="list-style-type: none"> If you require funding for planning activities, a Request for Planning Funding, together with supporting documentation (such as an SOW, if applicable) should be submitted to the TA. <p>To obtain funding for your reconfiguration, submit a Cost Estimate (and SOW for complex systems) of your system reconfiguration to Sprint Nextel.</p> <p>Requests for Planning Funding and Cost Estimates will be accepted from licensees, but not from vendors or consultants. Your vendors or consultants may assist you in preparing these Forms, but because the Forms will become part of your Frequency Reconfiguration Agreement with Sprint Nextel, you are responsible for submitting the Forms and making certain representations about the information contained within the Forms.</p> <p>You may submit your Cost Estimate to Sprint Nextel via email to 800MHz@Sprint.com or by fax to 678-405-8252. RFPFs should be sent to the TA via email (in PDF format if possible) to Comments@800TA.org or by fax to 888-701-4380.</p> <p><i>Timeline for Submissions</i></p> <ul style="list-style-type: none"> The schedule established in the RPP will be used as a reference in prioritizing review of Requests for Planning Funding and Cost Estimates. Accordingly, Requests for Planning Funding and Cost Estimates of earlier Waves will take precedence over those of later Waves. Channels 1-120 Stages will take precedence over NPSPAC Stages. For planning activities requiring funding, the TA has established a timetable for submission of Requests for Planning Funding that aligns with the schedule identified in the RPP. In general, RFPFs should not be made earlier than 75 days prior to a licensee’s voluntary negotiation start date. However, the TA expects that there will be situations requiring early review. Valid reasons may include reconfiguration of large and complex systems,

systems with significant interoperability issues, systems spanning more than one Wave/Stage, or localities/agencies with specific budgetary, contracting, or appropriations rules that may require early planning decisions. Large and complex systems generally include those with over 1,000 subscriber units, 10 or more channels, and those serving more than one agency. Licensees may request Sprint Nextel to start Planning Funding negotiations early. These requests should include an alternative start date, expected timeline, and reasoning for the request. Early submittal of Requests for Planning Funding should not result in duplicative efforts. RFPFs should be submitted to the TA via email (in PDF format if possible) to Comments@800TA.org or by fax to 888-701-4380. The TA will review to confirm that the RFPF and supporting documentation submission conforms to TA instructions and uses the TA's template. The RFPF instructions and template are available on the TA's website at http://www.800TA.org/content/documents/rfpf_forms.asp. This initial review does not represent TA approval of the proposed planning costs. All planning costs are subject to negotiations between Sprint Nextel and the incumbent licensee. Once the RFPF and supporting documentation are determined to conform to TA instructions, the TA will forward it to Sprint Nextel to begin negotiation of a PFA. Once a PFA is reached, it must be submitted to the TA for review of the planning costs. The TA will track and monitor the status of RFPF negotiations. If the licensee and Sprint Nextel complete a Planning Funding Agreement (PFA) prior to the defined start date, the TA will review such PFAs early. The submission dates for each Wave and Stage of the RPP are identified in the table below:

	WAVE 1		WAVE 2		WAVE 3		WAVE 4	
	1-120	NPSPAC	1-120	NPSPAC	1-120	NPSPAC	1-120	NPSPAC
Voluntary Start Date for 1-120 / Earliest Date for NPSPAC Voluntary Start	Jun. 27 2005	Feb. 1 2006	Oct. 3 2005	May 1 2006	Jan. 3 2006	Aug. 1 2006	Apr. 3 2006*	Nov. 1 2006*
Planning Window Start	Apr. 15 2005	Nov. 18 2005	Jul. 20 2005	Feb. 15 2006	Oct. 20 2005	May 18 2006	Jan. 18 2006*	Aug. 18 2006*

*Tentative dates; actual dates for this Wave depend on border treaties with Mexico and Canada

- For more information on preparing Requests for Planning Funding and Cost Estimates, please refer to the sections of this Handbook entitled "Submit Request for Planning Funding" and "Prepare a Cost Estimate."

<p>2</p>	<p><i>Execute a Frequency Reconfiguration Agreement with Sprint Nextel</i></p> <p>If you require funding for planning activities, after you submit a Request for Planning Funding, you will negotiate a Planning Funding Agreement with Sprint Nextel. For your actual system reconfiguration, after you submit a Cost Estimate (and SOW for complex systems), you will negotiate a Frequency Reconfiguration Agreement with Sprint Nextel governing the terms of your reconfiguration. You will be required to certify that the costs estimated on your Request for Planning Funding and/or Cost Estimate are the minimum necessary to provide facilities comparable to those presently in use.</p> <p>Once you and Sprint Nextel have reached an agreement, sign the FRA (or PFA) and return it to Sprint Nextel. The TA will then review your Cost Estimate (or Request For Planning Funding), Frequency Reconfiguration Agreement (or Planning Funding Agreement), and supporting documentation in a timely manner and will:</p> <ul style="list-style-type: none">• Approve it• Reject it (and provide reasons and/or recommendations)• Request additional information <p>Once the TA approves your Cost Estimate (or Request For Planning Funding) and signed Frequency Reconfiguration Agreement (or Planning Funding Agreement), Sprint Nextel will sign and finalize the Frequency Reconfiguration Agreement (or Planning Funding Agreement). For more information, please refer to the section of this Handbook entitled “Negotiate the Frequency Reconfiguration Agreement with Sprint Nextel.”</p>
<p>3</p>	<p><i>Receive payment from Sprint Nextel</i></p> <p>Upon the TA’s approval of your Frequency Reconfiguration Agreement (or Planning Funding Agreement), Sprint Nextel will initiate payment in accordance with the contractually agreed terms.</p> <p>Licensees will be paid in accordance with contractually agreed milestones by Sprint Nextel. When vendors are not paid directly by licensees, Sprint Nextel will pay vendors by the vendor payment obligation date, which will be within 30 days of the later of:</p> <ul style="list-style-type: none">• Sprint Nextel’s receipt of a vendor invoice.• Licensee approval of a vendor invoice and acknowledgement of acceptance of goods/services or achievement of a contractual milestone. <p>Note that both the vendor invoice and licensee approval of the vendor invoice are required before Sprint Nextel will initiate payment to vendors. Licensee signed</p>

	<p>vendor invoices will constitute approval and proof of receipt of goods and services or achievement of a contractual milestone. You will receive more details from Sprint Nextel on this process after your FRA is complete.</p> <p>The TA will actively monitor the payment process to ensure that Sprint Nextel fulfills its payment obligations to licensees and vendors. In the event Sprint Nextel fails to pay a licensee or vendor within 30 days of the relevant Payment Obligation Date, the TA will contact Sprint Nextel to determine why payment was not made. If Sprint Nextel fails to demonstrate “good cause” for non-payment within 40 days of the Payment Obligation Date, the TA will instruct a trustee to draw on the Letters of Credit to remit payment to the licensee or vendor. The burden of proof for non-payment is on Sprint Nextel (although licensees and vendors must provide sufficient documentation to show that payment is due). Licensees and vendors must refund the full amount of any erroneous payment made to them by Sprint Nextel in connection with reconfiguration services.</p> <p>Licensees and vendors paid by Sprint Nextel may report past due payments to the TA via phone (888-800-8220), or via email (Comments@800TA.org).</p>
<p>4</p>	<p><i>True-up payments at conclusion of your system reconfiguration when the licensee was paid based on a Cost Estimate</i></p> <p>You are required to maintain documentation of the actual costs incurred to reconfigure your system (e.g., vendor invoices, your receiving reports, internal personnel timesheets). Sprint Nextel is only required to make payments for actual, reasonable and prudent expenses directly related to the retuning of an 800 MHz system. If a cost is not actually incurred, it is not reimbursable. You will be required to submit documentation to Sprint Nextel no later than the closing of your reconfiguration. You may also be requested to provide your documentation to the TA, upon audit.</p> <p>At the conclusion of your reconfiguration, payments made to you based on your Cost Estimate will be reconciled to the documentation evidencing actual cost.</p> <ul style="list-style-type: none"> • If your actual costs exceed the value of your approved Cost Estimates, you must obtain approval from Sprint Nextel and the TA for these excess costs before you can be reimbursed. Licensees must amend their Frequency Reconfiguration Agreement with Sprint Nextel before incurring new or additional expenses beyond the Cost Estimate. These amendments must be reviewed and approved by the TA. If additional payments are due to you, Sprint Nextel will make a final true-up payment. • If you were overpaid, refunds for overpayments will be due to Sprint Nextel. • Licensees and vendors will be required to refund the full amount of any erroneous payment made to them by Sprint Nextel in connection with reconfiguration services.

After all payments are made (including any final true-up payments or refunds), you and Sprint Nextel must certify that reconfiguration is complete and that both parties agree upon the payments made.

The TA will audit the amounts expended. If documentation is incomplete or if the audit generates questions about payments made, the TA will contact you and Sprint Nextel and request reconciliation to the satisfaction of the TA.

Licensees are responsible for retaining all information related to reimbursable costs for reconfiguration. This material should be stored for a minimum of 18 months after the Completion Certification. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

As discussed above, the TA-approved Frequency Reconfiguration Agreement or Planning Funding Agreement will specify whether Sprint Nextel will pay vendors directly or will pay licensees who will use those funds to cover their internal reconfiguration and related planning costs and to pay their vendors. The following paragraphs discuss these two payment mechanisms.

Sprint Nextel Pays Vendors

According to this payment mechanism, the TA-approved Frequency Reconfiguration Agreement or Planning Funding Agreement will identify the vendor, will specify that Sprint Nextel will pay the vendor directly and will set forth a “not-to-exceed” amount that Sprint Nextel will pay. After the TA has approved a Frequency Reconfiguration Agreement or Planning Funding Agreement that provides for direct vendor payment by Sprint Nextel, Sprint Nextel will send each vendor that will receive such direct payments a Vendor Information Package. Each Vendor Information Package will specify the not-to-exceed amount approved for payment to the vendor, provide invoicing instructions and specify the assigned “Deal Number” that will be used by both Sprint Nextel and the TA to track the progress of the reconfiguration and the payments made pursuant to the applicable Frequency Reconfiguration Agreement or Planning Funding Agreement.

Two types of documentation must be provided to Sprint Nextel before it is obligated to pay the vendor: (i) a properly completed invoice, and (ii) the licensee’s acknowledgement that the goods or services covered by the invoice were delivered or performed or that any contractual milestone covered by the invoice has been achieved. Sprint Nextel is obligated to pay the vendor within 30 days after both of these documents have been received (the later of the dates of Sprint Nextel’s receipt of these two documents is the relevant Payment Obligation Date). Licensee-signed invoices also may constitute approval for payment. As discussed herein, the TA will monitor whether Sprint Nextel pays vendors in a timely fashion.

Sprint Nextel Pays Licensees

According to this payment mechanism, the licensee receives funds from Sprint Nextel to cover the licensee's estimated cost of reconfiguration or related planning activities set forth in the TA-approved Frequency Reconfiguration Agreement or Planning Funding Agreement, whether those costs are incurred internally by the licensee's own staff or its vendors. Sprint Nextel will reimburse the actual costs incurred by the licensee and its vendors in the performance of reconfiguration services.

Upon completion of the licensee's reconfiguration, payments made to the licensee based on the TA-approved estimated cost will be reconciled against the actual costs incurred. The licensee is required to submit to Sprint Nextel documentation of the actual costs incurred. Sprint Nextel will review the documentation and resolve any questions with the licensee. Upon the parties' satisfaction with the payment documentation, Sprint Nextel will prepare and forward to the licensee a Reconciliation Statement reflecting the parties' agreement on actual costs. If the Reconciliation Statement is acceptable to the licensee, the licensee and Sprint Nextel will execute closing documents certifying that reconfiguration is complete and the parties have agreed upon the reconfiguration costs. (The closing documents are provided to the TA.) Any underpayment will be paid by Sprint Nextel, and any overpayments will be refunded to Sprint Nextel. Licensees are encouraged to complete the Reconciliation Statement and closing documents as quickly as possible as the final Payment Obligation Date will not be established until Sprint Nextel receives these documents from the licensee.

In addition, according to this payment mechanism, the licensee will pay its vendors out of funds received from Sprint Nextel pursuant to the TA-approved Frequency Reconfiguration Agreement or Planning Funding Agreement. The vendor's right to payment and the applicable payment terms will be set forth in the vendor's agreement with the licensee but will not be referenced in the Frequency Reconfiguration Agreement or Planning Funding Agreement. Because the licensee's agreements with its vendors are not reviewed or approved by the TA, the TA will not monitor whether the licensee timely pays its vendors.

Sprint Nextel is required to pay the licensee within 30 days of the applicable Payment Obligation Date, which may be: (i) specifically defined calendar dates, (ii) the dates that contractual milestones are achieved, or (iii) the date of receipt by Sprint Nextel of a licensee invoice for goods/services received or performed. As discussed above, the TA will monitor whether Sprint Nextel timely pays the licensee.

Vendor Terms and Conditions

By accepting payment from funds provided by Sprint Nextel for the reconfiguration or related planning services, each vendor shall be deemed to have agreed to comply with the following terms and conditions, as may be amended from time to time. Licensees should include these provisions in their contracts with vendors providing reconfiguration or related planning services.

1. Liens. Vendor agrees to look solely to the Letters of Credit as security for payment of any amounts not paid by Sprint Nextel when due, and Vendor hereby waives its rights of lien, and agrees not to file any liens, arising out of the performance of reconfiguration services against a Licensee's premises or property. Nothing contained in this section shall be deemed to limit any other remedies available to Vendor at law or equity. Vendor shall at all times promptly

- pay for all services, materials, equipment, and labor used or furnished by Vendor in the performance of reconfiguration services for a Licensee and shall, to the fullest extent allowed by law, at its expense, keep such Licensee's premises and property free and clear of any and all liens and rights of lien arising out of services, labor, equipment or materials furnished by Vendor or its employees, suppliers, vendors, or subcontractors to such licensee in connection with the reconfiguration services performed by Vendor for such Licensee.
2. Gratuities. Vendor and its employees shall not, with the intent to influence the recipients in the conduct of their official duties, extend any gratuity or special favor of monetary value to any officer, employee or other representative of a Licensee.
 3. Prohibited Agreements. Vendor agrees not to enter into any agreement or arrangement with a Licensee for which Vendor is performing reconfiguration services: (i) pursuant to which Vendor agrees, in exchange or as consideration for such Licensee's selection of Vendor to perform such reconfiguration services, to pay or convey to such Licensee or any third party a kickback or anything else of value or to provide to such Licensee any services or equipment not required as part of or directly related to the reconfiguration services at non-commercial rates or at no charge; or (ii) which includes artificially inflated prices or, Vendor knows or has reason to know, is based upon false statements of work, inaccurate inventory counts or incorrect descriptions of the reconfiguration services, including, but not limited to, the equipment or locations to be reconfigured.
 4. Covenant Against Contingent Fees. Vendor agrees not to employ, retain, or pay a commission, percentage, brokerage or contingent fee to, any person or selling agency, other than a bona fide employee or selling agency of the Vendor, to solicit or secure any agreement with a Licensee for reconfiguration services. In the event Vendor violates this covenant, the affected Licensee shall have the right to either annul such agreement without liability to such Licensee, or deduct from payments due to Vendor, or otherwise recover from Vendor, the full amount of such commission, percentage, brokerage, or contingent fee.
 5. Recordkeeping. For each Licensee for which Vendor performs reconfiguration services, Vendor shall retain, and make available to such Licensee upon request, all documents directly related to Vendor's performance of such reconfiguration services for a period of 24 months following the completion of such reconfiguration services.

These terms and conditions shall apply to vendors receiving payments for performing reconfiguration services made on or after March 1, 2006.

Program Safeguards Afforded Licensees and Their Vendors

Licensees and their vendors are afforded the following program safeguards:

- Sprint Nextel is obligated to pay all costs associated with reconfiguring affected licensees in the 800 MHz Band. The FCC has required Sprint Nextel to post Letters of Credit for \$2.5 billion as security to ensure that sufficient funds are available to accomplish this task.

- Sprint Nextel is obligated to pay reconfiguring licensees and their vendors fixed and determinable amounts for the scope of work at agreed prices as specified in TA-approved Frequency Reconfiguration Agreements or Planning Funding Agreements between the licensee and Sprint Nextel.
- TA monitoring of the payment process provides an additional safeguard that is atypical of standard commercial contracts. In the event Sprint Nextel fails to pay a licensee or vendor within 30 days of the relevant Payment Obligation Date and fails to demonstrate good cause for non-payment within 40 days of the Payment Obligation Date, the TA will instruct the trustee to draw on the Letters of Credit and remit payment to the licensee or vendor as appropriate. Licensees and their vendors who elect to be paid by Sprint Nextel have the direct protection of the Letters of Credit. Vendors paid by the licensee have access to the Letters of Credit only through the licensee.
- In the event of a dispute regarding non-payment by Sprint Nextel, the matter may be referred to the TA for mediation, with recourse to the FCC.

Consistent with the FCC's requirements, the payment process established by the TA will ensure that licensees and their vendors are paid in a timely manner consistent with the payment terms set forth in TA-approved Frequency Reconfiguration Agreements or Planning Funding Agreements. If Sprint Nextel fails to make payment as required without good cause for doing so, the TA will instruct the trustee to draw on the \$2.5 billion Letters of Credit to remit payment.

Q&A

Am I required to submit a Request for Planning Funding?

- No. Licensees with minimal or no planning costs do not need to submit an RFPF. Such costs can be added to the Frequency Reconfiguration Agreement's Cost Estimate section (Schedule C).

What happens if I incur costs associated with planning activities, but do not submit a Request for Planning Funding?

- For simplicity, you can always request funding for planning activities when you submit the required Cost Estimate for reconfiguration implementation. However, if you do not request reimbursement for your planning activities by submitting either a Request for Planning Funding Form (available on the TA's website) or a Cost Estimate (as part of your Frequency Reconfiguration Agreement), you will be at risk for non-payment/reimbursement if both Sprint Nextel and the TA do not subsequently approve these costs.

Am I required to submit a Cost Estimate?

- Yes. To obtain funding for your system reconfiguration, you must submit a Cost Estimate to Sprint Nextel as soon as possible and certify that the costs are the minimum necessary to provide facilities comparable to those presently in use.

What happens if I learn in undertaking my planning activities or reconfiguration that I underestimated the amount of costs on the Request for Planning Funding or Cost Estimate?

- If at any point in time you determine that you underestimated the amount of costs required to plan for or implement your reconfiguration, you should re-estimate the costs and submit a revised Request for Planning Funding and/or Cost Estimate. Licensees must amend their Frequency Reconfiguration Agreement with Sprint Nextel before incurring new or additional expenses beyond the Cost Estimate. These amendments must be reviewed and approved by the TA.

Will the TA monitor payments from licensees to vendors?

- The TA will only monitor payments agreed upon in Frequency Reconfiguration Agreements and Planning Funding Agreements. Because a licensee's agreements with its vendors are not reviewed or approved by the TA, the TA will not monitor whether the licensee timely pays its vendors. Vendors who elect to be paid directly by Sprint Nextel have the direct protection of the Letters of Credit. Vendors paid by the licensee have access to the Letters of Credit only through the licensee. The TA will only monitor payments to vendors when vendors are paid directly by Sprint Nextel.

What type of documentation should I maintain to support the costs incurred for planning activities?

- You should maintain any related vendor invoices, proof of receipt of goods/services, contracts, SOWs (if prepared), your employees' timesheets (or equivalent documentation, excluding "per unit" costs), and documentation supporting internal cost structures/hourly rates (including overhead). This information will need to be provided to Sprint Nextel, unless Sprint Nextel pays the vendors directly in which case you will only need to provide proof of receipt of goods/services. The TA encourages you to request Sprint Nextel to pay your vendors directly. When advance funding is provided to the licensee, you will be required to submit this documentation to Sprint Nextel to reconcile the actual costs incurred with the estimated costs. The costs you incur and payments made to you by Sprint Nextel will be subject to audit by the TA. Only actual costs that are incurred are reimbursable. Additional details regarding reimbursable costs are available in this Handbook in Section VII – Funding Guidelines.
- All supporting planning and reconfiguration documentation is subject to audit by the TA and should be retained by the licensee for a minimum of 24 months from the closing as defined in the PFA. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

What kind of representations will I be required to make?

- When you submit a Request for Planning Funding or Cost Estimate you are required to certify that the costs estimated are the minimum required to obtain facilities comparable to those presently in use. If you do not make this certification, you will not receive funding for your planning activities or system reconfiguration. Additionally, at the completion of your system reconfiguration, you are required to certify that your system reconfiguration is complete and that you agree upon the payments made. The TA reminds licensees that representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC.

What constitutes “good cause” for Sprint Nextel’s non-payment to a licensee or vendor?

- What constitutes “good cause” for Sprint Nextel’s non-payment to a licensee or vendor is consistent with normal commercial practices and may include, but is not limited to, the following examples:
 - Licensee or vendor fails to provide adequate payment instructions to Sprint Nextel;
 - Licensee or vendor fails to perform the agreed scope of work at the agreed prices or charges for goods and services outside the agreed scope of work;
 - Licensee or vendor fails to submit a valid invoice (valid invoices should include payee, remit to address, representative’s name and contact information, licensee’s name, Deal Number, detailed list of goods and services or milestones covered by the invoice, applicable sales tax, invoice number, date, and amount due);
 - Licensee acknowledgement of receipt of goods/services or achievement of contractual milestone not provided to Sprint-Nextel;
 - Licensee fails to provide documentation supporting actual costs incurred upon conclusion of its reconfiguration (applicable to payments to licensees only); or
 - There is evidence of fraud, waste, abuse, or other illegality.

What happens if I have a dispute with Sprint Nextel regarding a payment?

- As required by the FCC, the TA has established an Alternative Dispute Resolution (ADR) Plan to resolve disputes between stakeholders during the 800 MHz Band reconfiguration. The ADR Plan, (available on the TA’s website at www.800TA.org/content/PDF/policy/ADRPlan.pdf), sets forth the procedures to be followed by the TA in carrying out its dispute resolution functions. As described in the ADR Plan, the TA may mediate disputes between Sprint Nextel and licensees or other stakeholders that arise during the course of reconfiguration, including the mediation of payment disputes.
- *Disputes between Licensee and Sprint Nextel over Non-Payment to Licensee.* The FCC’s Orders, as well as the TA-approved Frequency Reconfiguration Agreements and Planning Funding Agreements, contractually obligate Sprint Nextel to pay the licensee for the cost of reconfiguring its system and the associated planning costs. Pursuant to the ADR Plan, a licensee

may initiate mediation of payment disputes with Sprint Nextel before the TA, with recourse to the FCC.

- *Disputes between Vendor and Sprint Nextel over Non-Payment to Vendor.* Pursuant to the FCC's Orders and the TA-approved Frequency Reconfiguration Agreements and Planning Funding Agreements, Sprint Nextel is contractually obligated to pay on behalf of the licensee those vendors that are named in such agreements. Although the vendor may not be a party to an agreement with Sprint Nextel, the licensee may, on behalf of any vendor, initiate mediation of any payment dispute between the vendor and Sprint Nextel pursuant to the TA's ADR Plan, with recourse to the FCC. Vendors that are to be paid directly by Sprint Nextel may want to consider including a provision in their licensee/vendor agreements which requires the licensee to initiate mediation in instances of Sprint Nextel's non-payment. Alternatively, a vendor may request that the licensee complete an Authorized Request for Mediation Form, a copy of which is available on the TA's website, which authorizes the vendor to initiate, and participate in, TA mediation on the licensee's behalf. A vendor may also request the TA to mediate a payment dispute with Sprint Nextel; however, Sprint Nextel must agree to such mediation.

VII. FUNDING GUIDELINES

Following are general guidelines about the types of costs that will be funded.

Reimbursable Costs

Licensees are required to agree with Sprint Nextel on the costs associated with their reconfiguration. In general, the TA will approve reasonable and prudent expenses directly related to the retuning of an 800 MHz system for reimbursement. Funding will be available to assist a licensee with valid planning activities as well as for the licensee's actual system reconfiguration. All 800 MHz reconfiguration costs will be classified into two basic categories: hard costs and transactional costs. The Cost Classification Policy, available on the TA's website (<http://www.800TA.org/content/PDF/policy/CostClassificationPolicy.pdf>), clarifies the difference between hard costs and transactional costs, and the treatment of these costs. The TA also offers online webinars on Cost Classification. Please visit the TA's website (<http://www.800TA.org/content/news/webinars.asp>) for more information, including how to sign up for upcoming webinars, and to view slides and listen to recordings of previous webinars.

All licensee reconfiguration costs must be included in a Request for Planning Funding or a Cost Estimate and must be approved by both Sprint Nextel and the TA. **Licensees will be required to certify that the costs are the "minimum necessary" to provide facilities comparable to those presently in use.**

Many consultants and vendors are advising licensees to undertake certain planning and reconfiguration activities and to enter into contracts with them in advance of obtaining approval for those costs from Sprint Nextel and the TA. Licensees are reminded that any planning or reconfiguration activities undertaken that have not been approved by both Sprint Nextel and the TA are at risk for non-payment/reimbursement if both Sprint Nextel and the TA do not subsequently approve the related costs when the licensee submits a Request for Planning Funding or a Cost Estimate. Licensees are therefore encouraged to obtain approval from both Sprint Nextel and the TA prior to incurring costs for planning or reconfiguration activities in order to ensure that they are reimbursable. In addition, prior to submitting Cost Estimates to Sprint Nextel, licensees should fully vet bids and quotes submitted by potential service providers to ensure that the activities are reasonable and prudent expenses directly related to the retuning of an 800 MHz system and that the costs are not excessive or unreasonable.

Costs for the following types of activities may be reimbursable:

- Inventorying your subscriber equipment and infrastructure facilities.
- Evaluating proposed frequencies (including use of Frequency Consultants).
- Defining the interoperability environment.
- Equipment costs required for reconfiguration, including retuning, reprogramming, and replacement (where necessary).

- Filing FCC applications.
- Installation, testing, and engineering associated with reconfiguration.
- Legal fees associated with negotiating your Frequency Reconfiguration Agreement with Sprint Nextel.
- Preparing a Cost Estimate (and SOW if necessary) for your reconfiguration implementation.
- Activities of licensee personnel performing reconfiguration and associated planning activities.
- Educational events associated with reconfiguration, as outlined in the TA's Educational Reimbursement Policy.

Non-Reimbursable Activities and Costs

Any costs that are not directly related to the retuning of an 800 MHz system are not reimbursable. Costs for the following types of activities are specifically non-reimbursable:

- Inventorying systems and equipment that are not directly affected by 800 MHz reconfiguration.
- Consulting or legal fees not related to 800 MHz reconfiguration.
- Vendor charges associated with responding to requests for proposals or providing bids and quotes.
- Overtime incurred by licensee personnel if the licensee does not pay its employees overtime.
- Costs which were not actually incurred or are not sufficiently supported by required documentation (invoices, receiving reports, documentation of internal costs).

Hard Costs

Hard costs are defined by the FCC as the actual costs associated with providing a replacement system, such as equipment and engineering expenses. Hard costs include, but are not limited to, the following items:

- Equipment – *e.g.*, test equipment, spare equipment, back-up power equipment, and disposal of old equipment.
- Engineering costs – *e.g.*, installation and system testing.
- Project management – *e.g.*, implementation planning.

- Training – *e.g.*, instruction and training associated with providing new equipment or a replacement system.
- FCC filing costs.
- New towers and/or tower modifications.
- Site costs – *e.g.*, site acquisition, civil works, zoning costs, and site lease negotiation.
- Seamless transition expenses – *e.g.*, costs to simultaneously operate incumbent licensee’s old system and new system.
- System inventory.
- System design.

Transactional Costs

Expenses that are associated with relocation, but that do not fit within the definition of hard costs, fall within the category of transactional costs. Transactional costs include, but are not limited to, the following items:

- Fees for attorneys.
- Fees for consultants – In some situations, fees for consultants may be classified as hard costs, such as when the consulting activities are associated with a hard cost item or service. When evaluating whether fees for consultants are a hard cost or a transactional cost, the TA will focus on the nature of the work performed, rather than who performed the work.
- Negotiation of agreements and analysis of “comparable facilities” proposals (including, but not limited to, fees for attorneys and consultants) – *e.g.*, any legal or other work associated with developing and negotiating agreements, and fees or labor for analysis of agreements, proposals, and proposed frequencies.
- Licensee costs associated with the bid process – Vendor charges associated with responding to requests for proposals or providing bids and quotes are not reimbursable costs.
- Education – *e.g.*, licensee costs to attend educational symposiums or seminars and conferences or association meetings. More detailed information about the specific types of education costs for which a licensee may receive reimbursement can be found in the TA’s Educational Reimbursement Policy available on the TA’s website.
- For relocation of Economic Area (“EA”) licenses of non-ESMR EA licensees that elect to relocate to the ESMR band (*i.e.*, 817-824 MHz/862-869 MHz) – engineering and legal fees directly related to determination of comparable spectrum, such as determining channel assignments or “white

area.” Non-ESMR EA licensees must pay all hard costs and transactional costs associated with relocating site-based stations to the ESMR Band.

The classification of taxes, *e.g.*, sales taxes and taxes related to travel and lodging of contractors and vendors (including, but not limited to, hotel, restaurant, airline, taxi, and parking taxes) will be based upon the type of item or service being taxed. When a tax is associated with a hard cost item or service, the tax will be considered a hard cost. For example, sales taxes on equipment purchases will be considered hard costs. When a tax is associated with a transactional cost item or service, the tax will be considered a transactional cost.

Application of “Hard Look” Requirement

Transactional costs must not be excessive or unreasonable. The FCC has tasked the TA with taking a particularly hard look at transactional costs that exceed two percent of the hard costs involved in a reconfiguration. In carrying out the “hard look” required by the FCC, the TA will require any party requesting payment or reimbursement of transactional costs that exceed two percent of hard costs to articulate its request with clarity in a Cost Estimate and to be able to provide documentation and supporting data to justify the request. The Cost Estimate submitted must clearly delineate whether each cost or activity listed is a hard cost or transactional cost based upon the categorizations in the Cost Classification Policy. The TA will review requests for payment or reimbursement of transactional costs that exceed two percent of hard costs during the TA’s review of Frequency Reconfiguration Agreements. If the TA’s review indicates the need for additional support or justification, or that a Cost Estimate is otherwise deficient, the licensee will be so informed and will be required to furnish additional supporting documentation and data as well as a revised Cost Estimate. If the TA denies all or a portion of a request for payment or reimbursement of transactional costs, the TA will issue a letter to the applicant stating with clarity and precision its findings and the reasons for its decision.

The TA recognizes that compliance with the two percent transaction cost threshold may be difficult for certain small reconfigurations where basic transactional costs will be proportionally greater than in larger reconfigurations. The TA acknowledges that licensees are entitled to compensation for transactional costs such as basic legal advice, negotiation of agreements, and analysis of “comparable facilities” proposals. When the TA takes a hard look at transactional costs exceeding two percent during its review of Frequency Reconfiguration Agreements, the TA will take into account that transactional costs in small reconfigurations may be disproportionate. The TA may request additional supporting documentation and data or justification from a licensee during the TA’s review of the Frequency Reconfiguration Agreement or when the TA conducts an audit of the amount expended at the conclusion of system reconfiguration.

The complete Cost Classification Policy is available on the TA’s website (<http://www.800TA.org/content/PDF/policy/CostClassificationPolicy.pdf>).

Education Costs

Costs associated with 800 MHz reconfiguration educational events meet the TA's criteria as reasonable and prudent education costs, subject to specific criteria described below.

- To be eligible for reimbursement for attendance at a previously scheduled event (e.g., conference or association meeting), you must demonstrate that the attendee(s) would not attend the event "but for" the 800 MHz reconfiguration and the associated educational component.
- As with all reconfiguration costs, the licensee and Sprint Nextel must agree to a Cost Estimate and/or actual costs and include such costs in a Planning Funding Agreement or Frequency Reconfiguration Agreement. Failure to obtain pre-approval places reimbursement of the incurred costs at risk.
- When an approved event is less than 100% devoted to 800 MHz reconfiguration program education, then no more than 50% of the expenses (e.g., travel and meals, registration fees) incurred are eligible for reimbursement.
- If the portion of an event dedicated to 800 MHz reconfiguration program education is less than 50% of the total event program, expenses will not be eligible for reimbursement.
- Only actual costs are reimbursable. If funding is received in advance, there will be a true-up mechanism once actual costs are known.
- The TA may review the amount of educational costs attributed to any single person within the licensee's organization or the number of individuals within an organization for which the organization is seeking reimbursement.

All licensee reconfiguration costs must be included in a Request for Planning Funding (as part of a PFA) or a Cost Estimate (as part of an FRA) and must be approved by both Sprint Nextel and the TA.

The complete Educational Reimbursement Policy is available on the TA's website (<http://www.800TA.org/content/PDF/policy/EdPolicy.pdf>).

Internal Labor and Outside Vendors

The licensee is free to choose its internal personnel or outside vendors to perform its reconfiguration and associated planning activities. Any personnel, whether internal or external, utilized during reconfiguration must be qualified and competent to perform the tasks that they are charged with completing.

Costs incurred in utilizing non-qualified personnel, or costs associated with correcting substandard work performed by non-qualified personnel, will not be recoverable. It is the licensee's responsibility to ascertain that the personnel and vendors they utilize for reconfiguration are qualified and competent.

Following are guidelines related to the use of internal labor and outside vendors.

Internal Labor: The following incumbent licensee personnel internal labor rates are reimbursable (subject to criteria defined in the Incumbent Labor Rate Reimbursement Policy) when incurred to support the 800 MHz reconfiguration during regular business hours or overtime hours:

- Previously established market-based rates when they can be substantiated—The rates (both regular and overtime rates) are based on established market-based bill rates that the licensee currently charges for similar work. Examples of market-based bill rates include intra-agency rates or rates charged to external entities for similar work. Support for the established rates should be provided to the TA upon request and to Sprint Nextel during the reconciliation process, which occurs upon completion of reconfiguration.
- Actual labor costs (base hourly rates) plus reasonable overhead, when market rates cannot be substantiated—Base hourly rates for salaried employees are determined by dividing an employee's annual salary by 2,080 hours. Base hourly rates for hourly employees are the rates paid by the employer to the employee. Salary, overhead, and overtime rates are based on established internal rates and calculations supported by payroll, human resources, and accounting records. Licensees should be prepared to provide the records to the TA upon request. Sprint Nextel will require actual cost documentation, including calculations of actual licensee labor and overhead rates during the reconciliation process, which occurs upon completion of reconfiguration. Additionally, licensees should provide calculations to the TA for complex overhead rate structures when submitting Cost Estimates for review and approval.
- For labor associated with the physical reconfiguration of equipment, including taking physical inventory, retuning, replacing, etc., an acceptable practice is to estimate costs on a per unit basis based on a reasonable and supportable assessment of the time typically incurred to perform the activity and the labor costs of the personnel performing the work (including overhead). For unit based work, supporting documentation should support the number of units involved and the calculation of the per unit rate (time and labor cost assessment). Timesheets for actual labor would not be required.

Overtime, loaded with overhead, is reimbursable, if the employer pays overtime. If the employer does not pay overtime, it will not be a reimbursable cost. The base and overhead costs are incremental to the licensee, *i.e.*, the costs would not have been incurred “but for” the FCC mandate to reconfigure 800 MHz systems. Any overtime must be for work that could not be accomplished during normal business hours. Licensees must certify that the costs are the minimum necessary to provide facilities comparable to those presently in use. The complete Incumbent Labor Rate Reimbursement Policy is available on the TA's website (<http://www.800TA.org/content/PDF/policy/IncumbentLaborRatePolicy.pdf>).

Outside Vendors: Outside vendors may include 800 MHz system vendors, established radio service shops, and experienced land mobile system consultants. The TA or Sprint Nextel will not attempt to qualify, certify, or otherwise determine what constitutes a qualified resource. However, the TA encourages licensees to evaluate resources selected for reconfiguration work based on proven experience performing similar tasks and to carefully consider the competency of resources with limited historical experience.

The licensee will be required to certify that the costs of its reconfiguration and associated planning activities are the minimum necessary to provide facilities comparable to those presently in use. The licensee must also certify, to the best of its knowledge, that any vendor costs listed in the Cost Estimate are comparable to costs that the vendor previously charged the licensee for similar work. When using outside vendors, the licensee, based on their specific circumstances, should consider obtaining multiple quotes for the work to be performed.

Licensees, Sprint Nextel, and outside vendors (third party contractors) are free to negotiate most of the terms and conditions of their agreements. However, for third party contractors to receive payment, they must agree to certain terms and conditions required by the FCC and the TA. More information about vendor terms and conditions is available in this Handbook in Section VI – Payment Process.

Documentation Requirements

You will be required to submit to Sprint Nextel documentation evidencing the costs incurred, including invoices, receipts, timesheets of internal personnel (excluding “per unit” retune costs), documentation supporting internal cost structures/hourly rates (including overhead), statements of work, and vendor contracts. Signed vendor invoices constitute proof of receipt of goods and services.

At the conclusion of your system reconfiguration, the payments made to you and your vendors will be reconciled against your Requests for Planning Funding and Cost Estimates and your supporting documentation. Any amounts expended for your system reconfiguration are subject to TA audit and you will be required to comply with TA audit requests.

Licensees are responsible for retaining all information related to reimbursable costs for reconfiguration. This material should be stored for a minimum of 18 months after the Completion Certification. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

Disputes with Sprint Nextel

If you have disputes with Sprint Nextel regarding the funding of your reconfiguration or associated planning activities that you are unable to resolve, you may request the TA to mediate the resolution of the dispute. Additional details regarding TA mediation and dispute resolution are available in this Handbook in Section III – Overview of Reconfiguration Prioritization Plan and Section VI – Payment Process.

VIII. RECONFIGURATION IMPLEMENTATION PHASE

This section further describes the activities that occur during the Reconfiguration Implementation Phase. The purpose of this Handbook is to inform licensees regarding the administrative aspects of completing the reconfiguration. This Handbook, therefore, does not go into technical detail, nor does it constitute advice to licensees regarding the engineering aspects of the process.

Reconfiguration and Implementation Phase

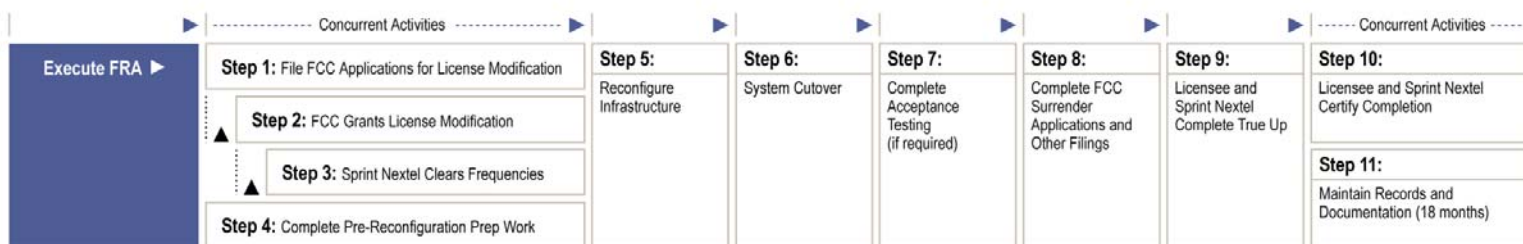


Figure 8: Reconfiguration Implementation

Figure 8 represents the different steps involved in the Reconfiguration Implementation Phase. Please note that timeframes represented are not to scale and will vary significantly depending on the size and complexity of the licensee’s system.

After licensees execute a Frequency Reconfiguration Agreement (FRA) with Sprint Nextel at the end of the Planning and Negotiation Phase, implementation activities can begin. Key activities for the Reconfiguration Implementation Phase include:

1. File FCC Applications for License Modifications

The first step in the Reconfiguration Implementation Phase is to prepare and file the appropriate FCC applications to add the new frequencies to your existing license. As noted in the Planning and Negotiation Phase, the TA sends out proposed frequencies to those licensees requiring them, but licensees are responsible for filing the necessary applications with the FCC. As discussed in the section entitled “Negotiate Frequency Reconfiguration Agreement with Sprint Nextel”, you and Sprint Nextel must agree and specify in your FRA who will prepare and file these documents within a specified time frame. You should also negotiate and agree on the process and cost of filing required construction certifications with the FCC following the commencement of operations on the new frequencies. Your options include:

- You may prepare and file your own applications and certifications directly with the FCC.
- You may engage an FCC-certified Frequency Coordinator or other competent and experienced consultant to prepare and file the applications and certifications. Such services are reimbursable.
- You may request that Sprint Nextel prepare and file the application(s) and certification(s) on your behalf. If you prefer this option, you will need to provide additional ULS-related information to Sprint Nextel.
- Applications should only include the addition of your new frequencies. As the FCC clarified in the MO&O, any change or correction to system parameters that would modify the coverage contour, such as changing location, height or power, must be filed and granted prior to reconfiguration applications being filed.
- A modification application that would expand or move a coverage contour, if filed during the period of the application freeze, will require an FCC waiver. If a licensee is filing for a waiver, they may file a copy of the waiver request and accompanying application with the TA for informational purposes.

2. FCC Grants License Modifications

Note that the activation of the new frequencies in your system cannot commence until the FCC grants these applications.

3. Sprint Nextel Clears Frequencies

Once the requisite FCC applications have been granted, the next step is for Sprint Nextel to clear the new frequencies. This will make the new frequencies for your system available. The detailed schedule for clearing for Sprint Nextel will be arranged as part of the Frequency Reconfiguration Agreement, and Sprint Nextel will notify both you and the TA when it has cleared the new frequencies (by discontinuing operations), usually within five days of completing the clearing.

4. Complete Pre-Reconfiguration Prep Work

Concurrent with Sprint Nextel clearing frequencies, complete any tasks that can be performed in advance of physical reconfiguration. The specific activities included in this step will vary significantly depending on the complexity of your system. Prep work may include facility preparation, retuning subscriber equipment, system baseline testing (if required), or other activities outlined in your reconfiguration plan.

5. Reconfigure Infrastructure and Subscriber Equipment

Activities that may occur during actual infrastructure reconfiguration include site retunes, subscriber equipment retunes, and other tasks necessary to operate on the new frequencies while minimizing disruption to the existing operations. Again, specific activities completed as part of this step will vary depending on the complexity of your system.

During the course of your reconfiguration, Sprint Nextel will remit payments either to you or directly to your vendor(s) in accordance with the arrangements and schedule in your Frequency Reconfiguration Agreement. More information is available in the Payment Process and Funding Guidelines sections of this Handbook.

6. System Cutover

The system cutover milestone is reached when all reconfiguration tasks are complete. At this point all infrastructure and subscriber equipment is verified to be operational on the new frequencies.

7. Complete Acceptance Testing (if required)

If required, acceptance testing ensures the reconfigured system is comparable to the pre-reconfiguration system parameters.

In certain circumstances, larger public safety and CII systems may seek to conclude the retuning process with a formal acceptance test of the system to validate operations on the new frequencies (validation of the retuning process for most conventional systems, by contrast, should be a simple exercise). Such a test would serve as the primary basis for certifying completion of your reconfiguration; you and/or your vendor would develop a structured test plan and schedule, with acceptance criteria that your personnel would validate have been met at each step in the test. It is expected that the scope of such a test would vary considerably depending upon the size and complexity of the system. Interoperability across agencies and Mutual Aid functions should also be built into the test where appropriate.

If you and Sprint Nextel agree on an acceptance test of your system, it must be included in the agreed upon Cost Estimate (and SOW for complex systems) that will be part of your Frequency Reconfiguration Agreement. The scope, level of effort and cost of the test must be specified and agreed to during FRA negotiations.

For larger systems, primarily simulcast systems, coverage drive testing may also be part of the acceptance test. Licensees with these systems should consider the merits of performing coverage analysis in their discussions with Sprint Nextel. As a general matter, the TA believes such tests are not required unless significant changes are made to the antenna and transmission subsystems. If such tests are warranted and agreed to, they should be performed immediately before retuning and again during acceptance testing in order to provide a meaningful comparison. Using historical coverage measurements taken at the time of initial system construction or too far in advance of retuning generally will not provide an acceptable basis for comparison.

In the case of testing simpler systems or smaller changes to large systems, repeater-site measurements of transmitter power, receiver sensitivity, insertion loss, duplexer frequency response, and antenna/feedline return loss should be adequate to verify comparable coverage.

For more information on recommended methods to verify comparable coverage, please visit the TA's website (www.800TA.org).

8. Complete FCC Surrender Applications and Other Filings

Once you have completed retuning of your system, including any acceptance testing, you will be required per the terms of the Frequency Reconfiguration Agreement to notify Sprint Nextel that the retuning is completed. At this time, you and/or your authorized representative and/or Sprint Nextel, depending upon the terms of your Frequency Reconfiguration Agreement, will file additional applications with the FCC to modify your license to delete or “surrender” the old frequencies. This is an important step, as the TA and the FCC cannot verify that the reconfiguration is complete until the FCC has granted these applications. At this time, if necessary, Sprint Nextel will also file applications to delete your new channels from their licenses surrounding your locations.

In addition, there are two other FCC filings that are not conditions to closing, but must be made in conjunction with reconfiguration:

- The FCC requires that licensees file a Certification of Construction when new frequencies are placed into operation. Frequencies provided to the licensee through reconfiguration trigger this requirement. Although this is not a condition to closing, it should be filed within 15 days of the licensee’s commencement of operations on the new frequencies. A failure to file the construction certification may result in the cancellation of your license. It is the licensee’s responsibility to file the Certification either directly or through an authorized representative. The TA recommends that this process and any associated cost should be included in the Frequency Reconfiguration Agreement with Sprint Nextel.
- If frequencies were assigned to Sprint Nextel for use as part of the transaction, following the closing of the transaction, Sprint Nextel will file a Notice of Consummation with the FCC.

9. Licensee and Sprint Nextel Complete True Up

The reconfiguration ends with a “closing” process, in which both you and Sprint Nextel verify that all obligations have been met. The steps for completion are:

1. Provide Sprint Nextel with supporting documentation of the actual costs incurred for your reconfiguration (invoices, timesheets, receipts, etc.).
2. Perform true-up between payments made and actual costs incurred (refer to the Funding Guidelines section of this Handbook for details):
 - a. If additional payments are due to you or your vendor(s), Sprint Nextel will make a final true-up payment(s). Licensees must negotiate with Sprint Nextel to amend their Frequency Reconfiguration Agreement with Sprint Nextel before incurring new or additional expenses beyond the Cost Estimate. These amendments must be reviewed and approved by the TA.
 - b. If you and/or your vendor were overpaid, refunds will be due to Sprint Nextel.

10. Licensee and Sprint Nextel Certify Completion

You must provide a Completion Certification that certifies to the TA:

1. That you have relinquished your original 800 MHz frequencies and reconfigured your facilities to operate on the replacement frequencies;
2. That all work required to reconfigure your facilities to operate on the replacement frequencies has been satisfactorily completed; and
3. That you and Sprint Nextel have agreed to the sum paid by Sprint Nextel for such work.

Sprint Nextel will forward all closing documentation to the TA for review, and the TA will register the reconfiguration as complete.

11. Maintain Records and Documentation

Licensees are responsible for retaining all information related to reimbursable costs for reconfiguration. This material should be stored for a minimum of 18 months after the Completion Certification, and longer if you typically retain records for longer. Applicable records include books, documents, accounting procedures and practices, and other data of all types (e.g., written, electronic, or other).

Supporting documents should be submitted to Sprint Nextel as part of reconciliation and to the TA upon request. The TA has the right to request documents beyond 18 months in cases where there are indications of potential fraud, waste, or abuse.

Fraud, Waste, and Abuse

It is incumbent on all program participants to implement measures to deter and detect potential fraud, waste, abuse, or other illegality in the 800 MHz reconfiguration program. More information about safeguards and other actions required of program participants to combat fraud and other potential illegalities in the reconfiguration program appears in this Handbook in Section IX – Fraud, Waste, and Abuse.

IX. FRAUD, WASTE, AND ABUSE

Overview

The TA is committed to aggressively deterring fraud, waste, abuse, or other illegality in the 800 MHz reconfiguration program. The TA may, in its discretion, provide any report of alleged fraud, waste, abuse or other illegality to the FCC. Parties that engage in the commission of fraud, fraudulent acts, or other illegalities associated with the program may be subject to civil and/or criminal liability and possible FCC action, including exclusion from further participation in the program.

The TA will be vigilant in monitoring the progress of each system's reconfiguration to ensure that the submitted Cost Estimates contain reasonable and prudent expenses directly related to the retuning of an 800 MHz system and that the funds expended are the minimum necessary to provide facilities comparable to those presently in use. Licensees and vendors are reminded that "good cause" for Sprint Nextel's non-payment of a reconfiguration expense includes credible evidence of fraud, waste, abuse, or other illegality associated with that expense.

The TA has implemented several safeguards to deter potential fraud or other illegality, including the following Obligations and Prohibitions required of all program participants, as may be amended from time to time.

Obligations

All program participants must:

- Report any fraud, waste, abuse, or other illegality in the program to the TA.
- Implement internal safeguards and procedures to detect and deter potential fraud, waste, abuse, or other illegality.
- Prepare and submit Cost Estimates that contain reasonable and prudent expenses directly related to the retuning of an 800 MHz system.
- Certify that Cost Estimates include only costs that are the minimum necessary to provide facilities comparable to those presently in use.
- Upon the completion of a system reconfiguration, certify to the TA that the reconfiguration is complete and the total actual cost of the reconfiguration.
- Return any fraudulent payment received in connection with any reconfiguration services.
- Licensees must maintain records and other supporting evidence associated with reconfiguration services paid for by Sprint Nextel for 18 months after the Completion Certification and provide access to these records to the TA or any auditor appointed by the TA.
- For each licensee for which a vendor performs reconfiguration services, the vendor shall retain, and make available to such licensee upon request, all documents directly related to the vendor's performance of such reconfiguration services for a period of 24 months following the completion of such reconfiguration services.

Prohibitions

All program participants must not:

- Extend, accept, or demand any gratuity or special favor for the purpose of influencing a decision or action of the recipient(s).
- Enter into any agreement that includes a “kickback” of funds or anything else of value in exchange for or as consideration for the award of a contract for reconfiguration services.
- Enter into any agreement that includes any artificially inflated prices, false statements of work, inaccurate inventory counts, incorrect descriptions of the reconfiguration services, or “goldplating” of the reconfigured facilities.
- Employ, retain, or pay a contingent fee or commission to solicit or win the award of a contract for reconfiguration services, except to a bona fide employee or selling agency of the program participant.

TA’s Safeguards

For its part, the TA has implemented the following safeguards designed to detect and deter fraud, waste, abuse, or other illegality in the reconfiguration program:

- The TA will review and approve Requests for Planning Funding and Cost Estimates as a prerequisite for a licensee to expend funds for any system reconfiguration or related planning activities.
- The TA may audit completed reconfigurations to ensure that actual funds expended are consistent with the approved Cost Estimates.
- The Frequency Reconfiguration Agreement requires the incumbent licensee to certify that the funds requested are the minimum necessary to provide facilities comparable to those presently in use and that, to the best of its knowledge, any vendor costs listed in the Cost Estimate are comparable to costs that the vendor previously charged the incumbent licensee for similar work.
- The TA will track and review costs and rates on a vendor-by-vendor basis.

Representations to TA

Program participations are further reminded that all representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC. Any representations to the TA found not to be true will be treated by the TA as a false statement and may become the subject of further investigation or other action, as appropriate.

X. CONTACTS

800 MHz Transition Administrator, LLC (TA)

- Website: www.800TA.org
- Email: Comments@800TA.org
- Phone: 888-800-8220
- Fax: 888-701-4380
- Address: 800 MHz Transition Administrator, LLC
c/o Squire, Sanders & Dempsey L.L.P.
8000 Towers Crescent Drive, 14th Floor
Tysons Corner, VA 22182-2700

Sprint Nextel

- Email: 800MHz@Sprint.com
- Fax: 678-405-8252

FCC 800 MHz Reconfiguration

- Website: www.800MHz.gov