

# Construction or Coverage Requirements and ULS Automated Termination Enhancement

## Licensee's Responsibility

Most licensees authorized to operate wireless telecommunications services must construct their systems or meet coverage requirements within a given time period (often referred to as the construction, coverage, or buildout deadline) and they must notify the Commission no more than 15 days after the buildout deadline that the requirements have been met. The time periods for meeting the construction or coverage requirements vary depending on the radio service in which the license is held.

If a licensee fails to construct a frequency, fails to construct a location, fails to construct an entire license, or fails to meet a coverage requirement, the frequency, location, or license terminates automatically on the date of the construction or coverage deadline pursuant to 47 C.F.R. Section 1.946.

### ULS Automated Termination (Auto Term)

The Wireless Telecommunications Bureau is developing an automated feature in its Universal Licensing System (ULS) to identify licenses, locations and frequencies that are presumed to have failed to meet construction or coverage requirements and, as a result, have automatically terminated. If the licensee does not timely file a notice of construction or a request for extension of time, ULS will presume that the construction or coverage requirement was not met and ULS will begin its automated termination process.

For more information on how to file a Notice of Construction or Request for Extension of Time, or for information on construction or coverage requirements by radio service, visit the web site at

<http://wireless.fcc.gov/licensing/const-req/>

### When Will ULS Auto Term Take Effect?

**The new ULS feature will be implemented in the fall of 2005.**

Prior to implementation of this automated feature, licensees are encouraged to review their licensing records to ensure the proper construction notifications have been filed. Licensees that have timely met their construction or coverage requirement, but have not yet filed the required notification, should immediately file FCC Form 601, Main Form and Schedule K, with a waiver request of the rule section that requires timely notification.

- ▶ Use the new buildout deadline search at <http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp> to search on buildout deadlines within a given time frame. Search by FRN, licensee name and more! If you can't find the buildout deadline in the license record, visit <http://wireless.fcc.gov/licensing/const-req/> and click on "Checking Build Out Deadlines and Notification Dates".



## How Will the Automated Termination Process Work?

ULS will identify licenses, locations, or frequencies for which a timely notice of construction or a request for extension of the construction or coverage period has not been filed by the required deadline.

	Buildout Deadline	Buildout Notification	ULS Auto Term	Petition for Reconsideration	Result
Licensee	<p><b>The buildout deadline date is important for three reasons.</b></p> <p><b>First</b>, it is the date by which the construction or coverage requirements must be met.</p> <p><b>Second</b>, any Requests for Extension of Time to meet the requirements must be filed prior to the deadline.</p> <p><b>Third</b>, it is the effective date of automatic termination.</p>	<p>The Required Notification of Construction must be filed <b>no later than 15 days after the buildout deadline</b>. Licensees should file FCC Form 601, Main Form and Schedule K.</p>		<p>The licensee will have thirty (30) days from the date of the Public Notice to <b>file a petition for reconsideration</b>.</p>	
ULS			<p>Thirty (30) days after the deadline for the licenses, locations, or frequencies identified, ULS will <b>generate a notice to the licensee at its official address of record in ULS</b> announcing the pending termination of its license, location, or frequency and <b>will list the pending termination in a weekly Public Notice</b>.</p>		<p>If the time period for filing a petition for reconsideration lapses and the license does not file a petition for reconsideration, <b>the license, location or frequency will automatically terminate effective as of the construction or coverage deadline</b>. The license or frequencies will then be available for the Commission to reassign.</p>

## Next Steps

Over the next few months, the Bureau will continue its public outreach program to provide additional information about the ULS automated license termination process and its implementation. A Public Notice will be released prior to deployment of this enhancement. In the meantime, check <http://wireless.fcc.gov/licensing/const-req>

For more information or assistance, contact FCC Support at 1-877-480-3201 or visit <http://esupport.fcc.gov/>



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