

Information and Instructions

**Instructions for Schedule for Supplemental Information Pertaining to a
New Private Commons Arrangement,
Modification of an Existing Private Commons Arrangement,
Revision to Extend the Term of an Existing Private Commons Arrangement, or
Revision to Cancel an Existing Private Commons Arrangement**

FCC Form 608, Schedule I

Schedule I is a supplementary schedule that is used to provide information regarding a Private Commons Arrangement. This includes information pertaining to (a) a new Private Commons arrangement, (b) a modification or revision of the terms and conditions, technical requirements and approved equipment, and/or types of communications uses allowed, (c) a revision to extend the term of an existing Private Commons arrangement, or (d) a revision to cancel an existing Private Commons arrangement. A single Schedule I is used for all of the Call Signs, Lease Identifier(s) or Private Commons Identifier(s) listed in Item 182 of the Main Form. All filings for Private Commons Arrangements must be filed manually and sent to the appropriate address. The mailing address can be found under the Application Fees and Filing Locations section found on page 8 of the Main Form Instructions.

Private Commons Information

A Private Commons arrangement is distinct from a spectrum leasing arrangement. Under a Private Commons arrangement, a Licensee, Lessee or Sublessee makes certain spectrum usage rights under the license authorization available to a class of third-party users that employ advanced communications technologies that involve peer-to-peer communications and do not use of the Licensee's, Lessee's or Sublessee's end-to-end physical network infrastructure (e.g., base stations, mobile stations, or other related elements) and are not intended to be used in the provision of network-based services to end-users. See generally Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, *Second Report and Order, Order on Reconsideration, and Second Further Notice of Proposed Rulemaking*, WT Docket No. 00-230, FCC 04-167, at ¶¶ 91-99 (rel. Sep. 2, 2004) ("Secondary Markets Second Report and Order"); 47 C.F.R. § 1.9080. Pursuant to the Secondary Markets Second Report and Order, a Licensee, Lessee or Sublessee that establishes a Private Commons Arrangement is required to provide notification to the Commission, prior to commencement of operations under such arrangement, and also must provide exhibits describing certain details (set forth below) about the nature of this arrangement. Only the Licensee, Lessee or Sublessee that exercises *de facto* control over the use of the spectrum associated with the Private Commons arrangement may establish such an arrangement. As manager of the Private Commons arrangement, this Licensee, Lessee or Sublessee also must exercise certain responsibilities to ensure that the users comply with the technical and service rules applicable to the license authorization. See *id.*

If this notification involves a new Private Commons arrangement, or it involves a modification or revision of an existing Private Commons arrangement (i.e., a modification of the terms and conditions, technical requirements and approved equipment, and/or types of communications uses allowed under an existing Private Commons arrangement, request to extend the term or request to cancel an existing arrangement), the following questions must be answered and certain exhibits (described below) provided.

General Terms and Conditions

A License, Lessee or Sublessee establishing and managing a Private Commons arrangement must provide relevant information pertaining to the general terms and conditions of the arrangement with the class of third-party users that would be employing advanced communications technologies involving peer-to-peer devices. Attach an exhibit describing the general terms and conditions of this Private Commons arrangement, including a description of the conditions for spectrum access placed on users.

Technical Requirements and Approved Equipment

A License, Lessee or Sublessee establishing and managing a Private Commons arrangement is responsible for establishing the technical and operating terms and conditions of use of users of the Private Commons, including those relating to the types of communications devices that may be used within the Private Commons. Attach an exhibit describing these technical requirements and the equipment approved for use in the Private Commons.

Types of Communications Uses Allowed

A License, Lessee or Sublessee establishing and managing a Private Commons also is required to describe the types of communications uses that are to be allowed by third-party users in the Private Commons. Attach an exhibit describing these types of uses.

Item 1 Enter 'Y' if the License, Lessee or Sublessee that will be managing the Private Commons arrangement designed the arrangement to provide access to spectrum by users employing peer-to-peer technologies that do not involve use of the License's, Lessee's or Sublessee's end-to-end physical network infrastructure and are not intended to be used for the provision of network-based services to end-users. Otherwise enter 'N'.

If the response to Item 1 is 'Y', attach the following exhibits: (1) an exhibit describing the general terms and conditions of the Private Commons arrangement, including a description of the conditions for spectrum access placed on users; (2) an exhibit describing the technical and operating terms and conditions of use placed on users, including those relating to the types of communications devices that may be used within the Private Commons; and (3) an exhibit describing the types of communications uses that are to be allowed by users in the Private Commons.

License Authorizations/Lease Identifiers/Private Commons Identifiers (Complete as many Schedule I's as necessary)

Item 2 Enter each Call Sign, Lease Identifier, Sublease Identifier or Private Commons Identifier shown in Item 182 of the Main Form.

Item 3 Enter the Radio Service Code for each Call Sign, Lease Identifier, Sublease Identifier or Private Commons Identifier entered in Item 2.

Item 4 Indicate whether the Private Commons arrangement encompasses the entire geographic area covered by the licensed or leased spectrum listed in response to Item 2. If less than the entire geographic area, provide an exhibit with a complete description of the area(s) in which users under the Private Commons arrangement will be permitted to operate.

Item 5 If the filing is for either a New Private Commons Arrangement or Modification of an existing Private Commons arrangement, enter in item 5 the commencement date (MM/DD/YYYY) of this New or Modified Private Commons Arrangement for each Call Sign, Lease Identifier, Sublease Identifier or Private Commons Identifier entered in Item 2.

Item 6 If the filing is for either a New Private Commons Arrangement or Modification of an existing Private Commons arrangement, enter the date (MM/DD/YYYY) the New or Modified Private Commons arrangement is due to expire for each Call Sign, Lease Identifier, Sublease Identifier or Private Commons Identifier entered in Item 2.

Item 7 If the filing is for a revision to extend the term of an existing Private Commons arrangement, enter the revised date (MM/DD/YYYY) the Private Commons arrangement is now due to expire for each Lease Identifier, Sublease Identifier or Private Commons Identifier entered in Item 2.

Item 8 If the filing is for a revision to cancel an existing Private Commons arrangement, enter the date (MM/DD/YYYY) the Private Commons arrangement will be terminated for each Lease Identifier, Sublease Identifier or Private Commons Identifier entered in Item 2. If the Private Commons Arrangement never commenced, check the box and do not provide the date.

Certifications

By signing the Main Form, FCC Form 608, the Licensee, Lessee and Sublessee, certify that the applicable statements listed in this schedule are true, complete, correct, and made in good faith.

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Revision to Extend the Term of an Existing Private Commons Arrangement, or
Revision to Cancel an Existing Private Commons Arrangement**

<p>1) Has the Licensee/Lessee/Sublessee that will be managing the Private Commons arrangement designed the arrangement to provide access to spectrum by users employing peer-to-peer technologies that do not involve use of the Licensee/Lessee/Sublessee's end-to-end physical network infrastructure and are not intended to be used for the provision of network-based services to end-users?</p> <p>If yes, attach the following exhibits: (1) an exhibit describing the general terms and conditions of the Private Commons arrangement, including a description of the conditions for spectrum access placed on users; (2) an exhibit describing the technical and operating terms and conditions of use placed on users, including those relating to the types of communications devices that may be used within the Private Commons; and (3) an exhibit describing the types of communications uses that are to be allowed by users in the Private Commons.</p>	<p>() <u>Yes</u> <u>No</u></p>
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License Authorizations/Lease/Sublease Identifiers/Private Commons Identifiers (Complete as many Schedule I's as necessary)

2) Call Sign(s) or Lease/Sublease/ Private Commons Identifier(s)	3) Radio Service Code	4) Area(s) Covered by Under Private Commons Arrangement	5) Commencement Date (MM/DD/YYYY)	6) Expiration Date (MM/DD/YYYY)	7) Revised Expiration Date (MM/DD/YYYY)	8) Cancellation Date (MM/DD/YYYY) OR Check box if Private Commons Arrangement Never Commenced
		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>
		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>
		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>
		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>
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		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>
		() Same as item 2 () Less than Item 2 (if Less, provide exhibit)				<input type="checkbox"/>