

Joseph Garcia, Chief Communications Officer  
Office of Public Relations

**SUBJECT: REQUEST AUTHORIZATION FOR THE SUPERINTENDENT TO NEGOTIATE AND ENTER INTO A 2GHz FREQUENCY RELOCATION AGREEMENT WITH NEXTEL COMMUNICATIONS, INC., EFFECTIVE APRIL 19, 2006**

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT**

In February 2005, Nextel Communications, Inc., (Nextel) accepted the rights and responsibilities imposed by the Federal Communications Commission (FCC). In exchange for its spectrum and financial contributions to reconfigure the 800 MHz spectrum band to resolve a public safety interference problem, Nextel received 10 MHz of spectrum in the 2GHz band. As part of the FCC's decision, Nextel is required to reimburse licensees in the 2GHz spectrum band (1990 MHz – 2110 MHz) for certain costs in their mandated relocation to a new channel plan (Relocation) to make the 2GHz spectrum it has received to be usable by Nextel. The District holds the license to a portion of this spectrum which is managed through the Division of Media Programs (WLRN) and is used to transmit audio and video signals. The FCC has mandated that the Relocation must occur in an expedited timeframe (31 months).

The Relocation requires the conversion of the District's current 2GHz analog system to digital and to operate in a new frequency allocation and channel plan. Nextel is required to compensate licensees for their costs in achieving comparable facilities in the new channel plan. Consequently, the District will incur no cost in this matter.

Under the terms of the Spectrum Relocation agreement:

- Each licensee will identify the 2GHz equipment to be relocated (upgraded or replaced) and develop a budget for the relocation;
- Nextel will verify the equipment and budget estimates;
- Licensee will create a purchase order for radio equipment, antennas, and control systems and send to Nextel for approval;
- Nextel will approve the purchase order and submit the purchase order to the manufacturer on the licensee's behalf;
- Licensee will receive shipment of equipment from the manufacturer, indicate that the equipment has been "accepted";
- Nextel will issue payment to the manufacturer directly (Nextel does not take title to the new equipment);
- Licensee is required to provide estimates for internal labor and services or quotes for external labor and services, including quotes for ancillary equipment over \$500;

- Licensee will pay for ancillary equipment and service providers that install this equipment and Nextel will reimburse the licensee for the reasonable documented expenses; and
- Licensee will ship old equipment to a Nextel recycling center in Abilene, Texas, where Nextel will take title to the old equipment and dispose of it.
- Nextel will bear the cost for the equipment and will reimburse the District for the cost of labor.

The Office of Media Programs, The School Board Attorney's Office, and the District's Federal Communications Commission counsel have all been included in this issue.

**RECOMMENDED:** That the School Board of Miami-Dade County, Florida, authorize the Superintendent to negotiate and enter into a 2GHz frequency relocation agreement with Nextel Communications, Inc., subject to the terms and conditions as stipulated in this item, effective April 19, 2006.

JL:mca