

Office of Public Relations
John J. Schuster, Chief Communications Officer

**SUBJECT: REQUEST AUTHORIZATION TO ACCEPT EDUCATIONAL
BROADBAND SERVICE (EBS) FREQUENCY TRANSITION
PLAN AS PROPOSED BY CLEARWIRE SPECTRUM
HOLDINGS II LLC**

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY
ENGAGEMENT**

**LINK TO STRATEGIC
FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

On June 17, 2008, the School Board approved a long-term negotiated lease ("Lease") of excess capacity of the School Board's Educational Broadband Service ("EBS") frequencies to Clearwire Spectrum Holdings II, LLC ("Clearwire"). The Lease stipulates, among other things, that the School Board and Clearwire are obligated to use reasonable efforts to obtain any interference consents, channel swaps, or other third party consents or agreements necessary to locate the School Board's channels at the WLRN Tower Site in Pembroke Park, Florida ("WLRN Tower Site"). Section 5(a) of the Lease specifies that the channels covered under the Lease are "...subject to relocation to different frequencies and/or to different technical characteristics as a result of the new band plan and associated technical rules adopted by the FCC...".

This item proposes to modify and supplement certain provisions of the Lease. Specifically, this letter will permit, among other things, the School Board to facilitate the co-location of its transmission capabilities from Downtown Miami to the WLRN Tower Site at Pembroke Park. By co-locating the School Board's EBS channels at the WLRN Tower Site, the School Board will be able to comply with federal regulations requirements, efficiently maximize existing resources, remedy a number of engineering issues, utilize state-of-the-art equipment, and save approximately \$200,000 in technology costs associated with its new system. Additionally, the District will not incur any financial loss as a result of co-locating to the WLRN Tower Site.

Representatives of The School Board and Clearwire have negotiated a proposed agreement on baseline parameters for the transition as set forth on Schedule 2 of the Lease. As part of the FCC transition requirements, Clearwire must submit a final EBS Transition Plan to the FCC and the School Board. Once the transition plan is submitted, the School Board has 10-days to accept or reject the Plan.

To accommodate the objectives of the School Board to relocate WLRN's current transmission facilities to the WLRN Tower Site and to avoid certain interference from WLRN's Reserved Capacity that would otherwise result from such relocation, Clearwire proposes that the parties proceed with the EBS transition pursuant to the Lease Agreement and proposed transition letter as set forth in a separate transmittal to the Board.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to negotiate and approve all documents and agreements necessary to effectuate the EBS transition plan as proposed by Clearwire Spectrum Holdings II LLC.

