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C - B A N D



RELOCATION PAYMENT  
CLEARINGHOUSE

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# C-BAND HANDBOOK

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Version 1.3

The C-band Handbook provides program stakeholders and interested parties with information on the RPC's policies and procedures. The C-band Handbook has not been and will not be approved by the FCC. In the event of any conflict between the FCC's Rules (as defined in the Handbook) and the C-band Handbook, the FCC's Rules shall control. Program stakeholders and interested parties should consult with counsel regarding the substance and application of the FCC's Rules that govern all matters associated with the C-band relocation.

This Version 1.3 of the C-band Handbook is published on the RPC's website at <https://cbandrpc.com/resources/>. The Handbook is subject to revision and parties should ensure that they are referencing the most current version.

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## Key Terms

<b>ESO</b>	Earth Station Operator
<b>FCC</b>	Federal Communications Commission
<b>FCC's Rules</b>	The Communications Act of 1934, as amended, the effective regulations of the FCC codified in Title 47 of the Code of Federal Regulations ("C.F.R."), as amended, and the effective orders, rulings, and public notices of the FCC, including, without limitation, the <i>Report and Order</i>
<b>FSL</b>	Fixed Service Licensee
<b>FSS</b>	Fixed Satellite Service
<b>IB</b>	FCC's International Bureau
<b>IBFS</b>	FCC's International Bureau Filing System
<b>Incumbents</b>	Incumbent Space Station Operators, incumbent Earth Station Operators, and incumbent Fixed Service Licensees
<b>MVPD</b>	Multichannel Video Programming Distributor
<b>Overlay Licensee</b>	An Auction 107 winning bidder, or other person or entity, that becomes a licensee in the 3.7 GHz Service, as defined in 47 C.F.R. § 27.4, including its successor or assign for the use of 3.7 GHz Service spectrum
<b>PEA</b>	Partial Economic Area, as defined in 47 C.F.R. § 27.6(m) and Appendix A to Subpart A to Part 27 of the FCC's Rules ( <i>see also Wireless Telecommunications Bureau Provides Details about Partial Economic Areas</i> , Public Notice, 29 FCC Rcd 6491 (2014))
<b><i>Report and Order</i></b>	<i>Expanding Flexible Use of the 3.7 to 4.2 GHz Band</i> , Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343 (2020)
<b>RPC</b>	Relocation Payment Clearinghouse LLC
<b>SME</b>	Subject Matter Expert
<b>SSO</b>	Space Station Operator
<b>WTB</b>	FCC's Wireless Telecommunications Bureau

# 1. Introduction

## 1.1. C-band Relocation Program Overview

The term “C-band” as used in this document refers to the 500 megahertz (“MHz”) segment of the C-band spectrum from 3.7 to 4.2 gigahertz (“GHz”), which until now has been mostly used by fixed satellite companies to provide content to video and audio broadcasters, cable systems, and other content distributors. On March 3, 2020, the Federal Communications Commission (“FCC”) released the *Report and Order* in which it adopted rules to reform use of the C-band by repacking existing satellite operations into the upper portion of the band and making available 280 MHz of C-band spectrum for flexible use throughout the contiguous United States via an FCC auction of overlay licenses, Auction 107. Auction 107 opened on December 8, 2020, and closed on February 17, 2021. The FCC requires that incumbent licensees within the C-band clear existing services from the lower 300 MHz of the C-band (3.7–4.0 GHz), making it available for flexible use for wireless services. Existing satellite operations will be repacked and moved into the upper 200 MHz of the band (4.0–4.2 GHz). Incumbent Space Station Operators (“SSOs”), incumbent Earth Station Operators (“ESOs”), and incumbent Fixed Service Licensees (“FSLs”) (collectively, “Incumbents”) will transition out of the 3.7–4.0 GHz band.

The FCC requires Overlay Licensees (as defined in [Section 2.2](#)) to fund relocation costs for Incumbents to transition out of the band. In addition to acquiring flexible-use licenses for C-band spectrum, or rights thereunder in the secondary market, Overlay Licensees will pay into a reimbursement fund (*Report and Order*, para. 263) administered by the Relocation Payment Clearinghouse LLC (“RPC”). Funds paid by Overlay Licensees will be used (a) to reimburse Incumbents for expenses that are necessary, reasonable, and actual (e.g., the actual amount paid for equipment) when vacating the lower portion of the C-band; (b) to make lump sum payments to ESOs with lump sum elections accepted by the FCC; and (c) to pay accelerated relocation payments to eligible SSOs (*Report and Order*, paras. 202, 261-265). Additionally, Overlay Licensees will fund the administrative costs of the RPC (*Report and Order*, para. 267).

Relocation and Associated Relocation Deadline. As noted, the FCC requires that incumbent licensees within the C-band clear existing services from the lower 300 MHz of the C-band (3.7–4.0 GHz), making it available for flexible use for wireless services. The *Report and Order* establishes a general deadline of December 5, 2025 for incumbents to complete the transition and clear their operations from the 3.7–4.0 GHz band (*Report and Order*, para. 155; 47 C.F.R. § 27.1412(a)). An incumbent SSO that fails to clear its existing services from the 3.7–4.0 GHz band by the December 5, 2025, relocation deadline will not receive reimbursement for its reasonable relocation costs or any additional accelerated relocation payments and could also be subject to penalties for its failure to timely clear, including a requirement to repay relocation funding (*Report and Order*, paras. 175, 175 n.469; 47 C.F.R. § 27.1412(a)).

Accelerated Relocation and Associated Deadlines. In addition, the *Report and Order* provided an opportunity for eligible SSOs to make accelerated relocation elections, whereby they voluntarily committed to clear their licensed spectrum on an accelerated schedule in exchange for accelerated relocation payments (*Report and Order*, para. 168). Five eligible SSOs (Claro S.A. f/k/a Star One S.A., Eutelsat S.A., Intelsat License LLC, SES Americom, Inc., and Telesat Canada) elected to meet the accelerated relocation deadlines, which triggers an accelerated clearing of the C-band. These eligible SSOs are subject to the following two accelerated relocation deadlines:

- Phase I (December 5, 2021, Deadline). Repack existing services and relocate associated incumbent earth stations throughout the contiguous United States to clear 120 MHz of spectrum (3.7–3.82 GHz) in 46 of the top 50 Partial Economic Areas (“PEAs”) (*Report and Order*, paras. 170-171).
- Phase II (December 5, 2023, Deadline). Clear the remaining 180 MHz (3.82–4.0 GHz) (*Report and Order*, paras. 170-171).

Reimbursement of necessary, reasonable, and actual relocation costs to clear Incumbent operations from the lower 300 MHz of the C-band by the relocation deadline is separate and apart from accelerated relocation payments made to eligible SSOs that elected to and meet the accelerated relocation deadlines discussed here (*Report and Order*, paras. 173-174). If an eligible SSO that made an accelerated relocation election fails to satisfy either the Phase I or Phase II deadline, it will not be eligible for the portion of the accelerated relocation payment attributable to the deadline that it has missed (*Report and Order*, para. 174) and its corresponding accelerated relocation payment will be reduced incrementally as illustrated in [Section 8](#), Figure 4 (*Report and Order*, para. 297).

## 1.2. C-band Handbook Purpose

The purpose of this C-band Handbook is to provide program stakeholders and interested parties with information on the RPC’s policies and procedures.<sup>1</sup> **This C-band Handbook has been prepared by the RPC for the convenience of stakeholders and interested parties. This Handbook has not been prepared or approved by the FCC, and it is not a substitute for the FCC’s Rules (as defined in Key Terms above). In the event of any conflict between the FCC’s Rules and this Handbook, the FCC’s Rules shall control. Program stakeholders and interested parties should consult with counsel regarding the substance and application of the FCC’s Rules that govern all matters associated with the C-band relocation.** The RPC may amend or supplement this C-band Handbook from time to time as it deems necessary or advisable. Amendments and supplements to this Handbook will be made available to the public via the RPC’s website at [www.CbandRPC.com/resources](http://www.CbandRPC.com/resources). In addition, those who wish to be notified by email of amendments or supplements to this C-band Handbook may submit a request to [info@CbandRPC.com](mailto:info@CbandRPC.com)<sup>2</sup> to be added to the email distribution notice list. Interested parties are encouraged to identify C-band Handbook material that may be amended or supplemented for consideration by—and in the discretion of—the RPC.

The C-band Handbook provides information on the C-band relocation process and guidance to facilitate the flow of funds between Overlay Licensees and entities eligible for claims reimbursements and accelerated relocation payments. It also describes the roles and responsibilities of the RPC and stakeholders in the relocation process, including the Relocation Coordinator, Incumbents, and Overlay Licensees. The guidance provided in the C-band Handbook is designed to support C-band relocation activities and related costs incurred pursuant to the FCC’s Rules.

The C-band Handbook provides process and background information on the following subjects:

<sup>1</sup> References herein to the Handbook, including references to “this Handbook,” are to the Handbook as amended from time to time.

<sup>2</sup> Communications from the RPC’s Service Desk originate from the @CbandRPC.atlassian.net email domain.

1. Parties eligible to submit reimbursement claims for C-band relocation costs, lump sum payments, and accelerated relocation payments;
2. Compensable C-band relocation reimbursement costs;
3. The process for submitting a reimbursement claim;
4. The process for lump sum election reimbursement;
5. The RPC claim review process;
6. Claim reimbursements;
7. Accelerated relocation payments;
8. Billing and collections from Overlay Licensees;
9. A general overview of the RPC dispute resolution process; and
10. Actions being taken to deter fraud, waste, and abuse in connection with the C-band relocation.

### 1.3.The RPC

The *Report and Order* provides for the selection of an “independent Relocation Payment Clearinghouse to oversee the cost-related aspects of the transition in a fair, transparent manner” (*Report and Order*, para. 255). The FCC appointed a search committee composed of nine entities that the FCC found, collectively, reasonably represented the interests of stakeholders in the transition process (*Report and Order*, para. 274). On July 31, 2020, the search committee announced that it had unanimously selected the CohnReznick LLP and subcontractors Squire Patton Boggs (US) LLP and Intellicom Technologies, Inc. team (“CohnReznick LLP Team”) to serve as the relocation payment clearinghouse.<sup>3</sup> On October 22, 2020, the FCC’s Wireless Telecommunications Bureau (“WTB”) found that the search committee’s selection of the CohnReznick LLP Team satisfied the criteria of the *Report and Order*.<sup>4</sup>

CohnReznick LLP established Relocation Payment Clearinghouse LLC<sup>5</sup> to administer the cost-related aspects of the transition of licensees in the C-band mandated by the FCC. The RPC has contracted with the following entities to perform its duties:

1. CohnReznick LLP, a certified public accounting firm;
2. Squire Patton Boggs (US) LLP, a law firm;
3. Intellicom Technologies, Inc., a specialist in satellite and wireless communications; and
4. Reed Strategy LLC, a specialist in cable and broadband technologies.

In addition, Truist Financial Corporation is the RPC’s banking vendor. Among its duties, the RPC collects and distributes payments for the C-band transition, administers the reimbursement fund, reviews reimbursement claims for relocation costs, mediates and arbitrates financial disputes, and administers the dispute resolution process (*Report and Order*, paras. 255, 260-263, 268). The RPC expects to receive and process information critical to ensuring a successful and expeditious C-band transition. The RPC will use information it receives in connection with the C-band transition solely for the purposes of administering the cost-related aspects of the C-band transition, and it will disclose such information only

<sup>3</sup> Letter from Ross J. Lieberman et al., Members of Clearinghouse Search Committee, to Marlene H. Dortch, Secretary, FCC, GN Docket 18-122 (filed July 31, 2020).

<sup>4</sup> See *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order, 35 FCC Rcd 11859 (2020).

<sup>5</sup> CohnReznick LLP holds all interests in Relocation Payment Clearinghouse LLC.

to the FCC or other authorized entities pursuant to, and in a manner consistent with, the FCC's Rules and/or other governing law.<sup>6</sup>

## 1.4. The RPC's Website

The RPC's website (<https://CbandRPC.com>) serves as a source of information for C-band stakeholders and interested parties with regard to cost-related aspects of the C-band transition and RPC processes. The website includes information such as:

- **About the RPC** – background information on the RPC, its roles and responsibilities, C-band program overview, and a description of various program areas (<https://cbandrpc.com/about-the-rpc/>).
- **FCC Guidance** – a compilation of selected FCC orders and public notices related to the C-band relocation program (<https://cbandrpc.com/fcc-guidance/>).
- **RPC Resources** – detailed information on claims submission, including eligibility information and types of documentation to be provided for claimant setup and claim support ([www.CbandRPC.com/resources](http://www.CbandRPC.com/resources)).
- **Contact** – contact information for the RPC (<https://cbandrpc.com/contact/>).

C-band stakeholders and interested parties are encouraged to consult the RPC's website regularly for amendments and/or supplements to the C-band Handbook and announcements.

## 2. C-band Relocation Stakeholders

The C-band relocation process will require the participation and cooperation of a group of stakeholders to ensure the efficient transition of a diverse set of incumbent spectrum users. The Relocation Coordinator, Overlay Licensees, and Incumbents are immediate stakeholders. Certain Surrogates, as defined in [Section 2.6](#) of this C-band Handbook, and certain programmers designated by an SSO,<sup>7</sup> as defined in [Section 2.7](#) of this C-band Handbook, are also potential stakeholders. The Relocation Coordinator and Overlay Licensees are described in [Sections 2.1](#) and [2.2](#), respectively, of this Handbook. In addition, specific eligibility requirements are defined in the *Report and Order* for various persons or entities that choose to submit their claims to the RPC for the reimbursement of C-band relocation costs. Potentially eligible claimants are Incumbents and certain Surrogates and programmers. A party other than an eligible incumbent ESO that performs relocation work to transition an earth station as part of the C-band relocation process (such as an incumbent SSO or a network performing such work pursuant to an existing affiliation agreement) may directly submit the showing of relocation costs and receive reimbursement, provided that parties do not submit duplicate filings for reimbursement for the same earth station relocation work, which will be verified by the RPC during the claim review process (*Report and Order*, para. 260).

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<sup>6</sup> For information regarding the treatment of information received by the RPC in connection with the C-band relocation, please see the Relocation Payment Clearinghouse – Confidentiality Policy, which is available at <https://cbandrpc.com/resources/>.

<sup>7</sup> See *Wireless Telecommunications Bureau Releases Final Cost Category Schedule for 3.7-4.2 GHz Band Relocation Expenses and Announces Process and Deadline for Lump Sum Elections*, Public Notice, 35 FCC Rcd 7967, 7979, para. 19 (2020) (“*Cost Catalog Public Notice*”).

## 2.1. Relocation Coordinator

The Relocation Coordinator is a third party, hired directly by the incumbent SSOs and approved by the FCC, to ensure that all incumbent SSOs are relocating in a timely manner and to ensure uninterrupted service during and following the C-band transition (*Report and Order*, paras. 284, 308). RSM US LLP serves as the Relocation Coordinator.<sup>8</sup> The FCC has indicated that the RPC's dispute resolution role is limited to disputes over cost estimates or payments (*Report and Order*, para. 268 n.661). Disputes related to the transition itself (e.g., comparability of facilities, workmanship, preservation of service) should be raised with the Relocation Coordinator, which will notify the WTB of the dispute and provide recommendations for resolution (*Report and Order*, para. 314). The WTB directed the Relocation Coordinator to notify the WTB of such disputes after receiving formal notice thereof.<sup>9</sup>

## 2.2. Overlay Licensees

Overlay Licensees are Auction 107 winning bidders, or other persons or entities, that become licensees in the 3.7 GHz Service, as defined in 47 C.F.R. § 27.4, including their successors and assigns for the use of 3.7 GHz Service spectrum. (The *Report and Order* also uses the term “flexible-use licensees” to refer to Overlay Licensees.) Overlay Licensees obtain the rights to geographic area licenses “overlaid” on top of the incumbent licensees in that geographic area. “[A]bsent the consent of the affected incumbent earth stations—[Overlay Licensees] may not operate within a given PEA until the relevant spectrum has been cleared of incumbents in that PEA and of affected incumbents in adjacent PEAs” (*Report and Order*, para. 95 n.289). Overlay Licensees must fund their *pro rata* share of (a) reasonable and actual relocation costs necessitated by the relocation in order to ensure that incumbent SSOs continue to be able to provide substantially the same or better service to incumbent ESOs and that incumbent ESOs continue to be able to provide substantially the same service to their customers after the relocation compared to that which they previously provided (*Report and Order*, paras. 194, 260); (b) lump sum payments to ESOs; (c) accelerated relocation payments to eligible SSOs (*Report and Order*, paras. 202, 261-265); and (d) the administrative costs of the RPC (*Report and Order*, para. 267).

## 2.3. Space Station Operators

The *Report and Order* defines “incumbent” SSOs “to include all C-band space station operators authorized to provide service to any part of the contiguous United States pursuant to an FCC-issued license or grant of market access as of June 21, 2018 . . . .” (*Report and Order*, para. 115). There are eight such incumbent SSOs: ABS Global, Empresa Argentina de Soluciones Satelitales S.A, Eutelsat S.A., Hispamar S.A. (Hispasat), Intelsat License LLC, SES Americom, Inc., Star One S.A., and Telesat Canada (*Report and Order*, para. 115). To qualify as eligible for relocation cost reimbursements, an SSO “must have demonstrated, no later than February 1, 2020, that it has an existing relationship to provide service via C-band satellite transmission to one or more incumbent earth stations in the contiguous United States” (*Report and Order*, para. 200). The *Report and Order* indicates that five incumbent SSOs have such operations: Eutelsat S.A., Intelsat License LLC, SES Americom, Inc., Star One S.A., and Telesat Canada (*Report and Order*, para. 200). Other incumbent SSOs are not expected to be eligible for relocation payments, but they “may be compensated for reasonable relocation costs should they demonstrate that those costs were truly required as a direct result of the transition of existing C-band

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<sup>8</sup> *Expanding Flexible Use of the 3.7-4.2 GHz Band*, Order, 35 FCC Rcd 10469 (2020).

<sup>9</sup> See *Wireless Telecommunications Bureau Establishes a New Docket for C-Band Transition Dispute Referrals*, Public Notice, WT Docket No. 21-154, DA 21-435 at 1 (rel. Apr. 16, 2021).

services provided to one or more incumbent earth stations in the contiguous United States” (*Report and Order*, para. 200).

## 2.4. Earth Station Operators<sup>10</sup>

The *Report and Order* defines an incumbent ESO that is eligible to receive reimbursement for its reasonable relocation costs as a fixed satellite service (“FSS”) earth station that meets certain requirements described below (*Report and Order*, paras. 116, 117). On June 22, 2021, the IB released a list of those FSS earth stations in the 3.7–4.2 GHz band in the contiguous United States that it found to satisfy these criteria and qualify as incumbent earth stations for purposes of the C-band transition.<sup>11</sup> To be considered an incumbent ESO, an earth station must meet the following requirements:<sup>12</sup>

- I. The FSS earth station was operational as of April 19, 2018 and remains operational and must have been registered (receive-only) or licensed (transmit/receive) in the 3.7–4.2 GHz band.<sup>13</sup>
- II. If the FSS earth station was unregistered or unlicensed before April 19, 2018, its registration or license application must have been filed by November 7, 2018.
- III. If the FSS earth station was registered or licensed before April 19, 2018, the registrant or licensee must have:
  - a) Certified the accuracy of the registration/license information in the FCC’s International Bureau Filing System (“IBFS”) by May 28, 2019;
  - b) Filed a modification/update to the registration or license in the IBFS during the April 19, 2018 – November 7, 2018, filing window; or
  - c) Filed a timely renewal application for the existing registration or license by May 28, 2019.

Figure 1 illustrates the aforementioned eligibility criteria for FSS earth stations.

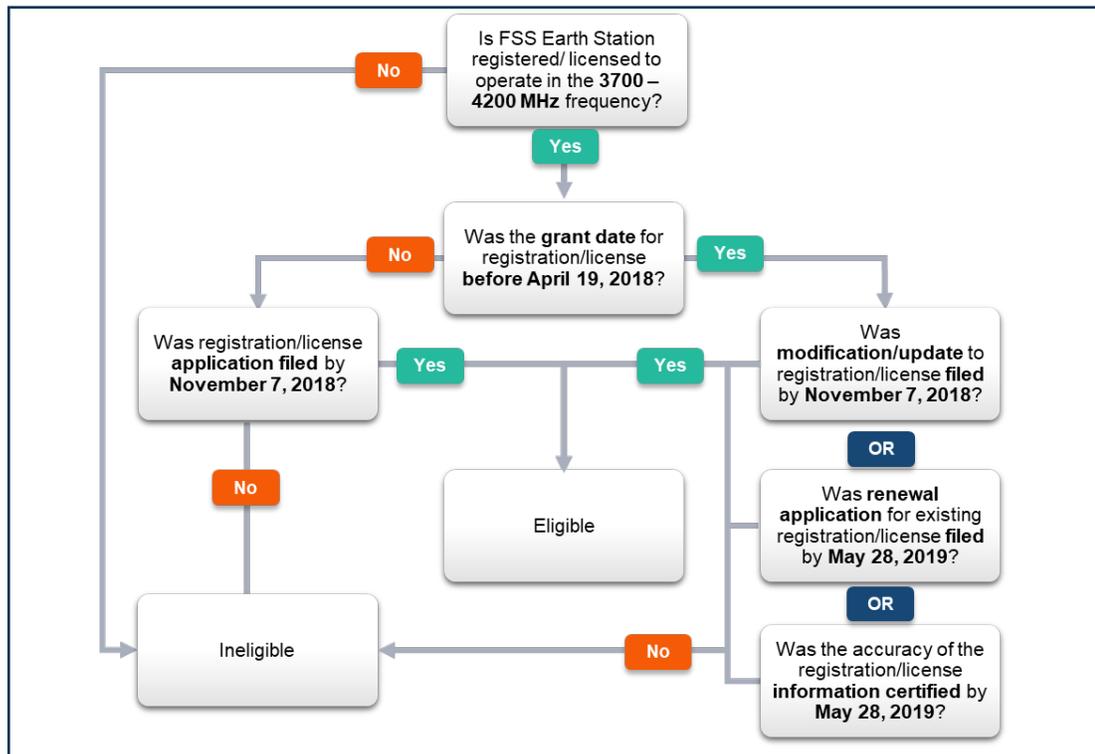
<sup>10</sup> Lump sum filers are addressed more specifically in [Section 5.1](#) below.

<sup>11</sup> See *International Bureau Releases Updated List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, Public Notice, IB Docket No. 20-205, GN Docket No. 20-305, DA 21-731 (rel. June 22, 2021). An operator of an FSS Earth Station that is not on the list released by the IB should seek guidance from the FCC regarding its eligibility to submit a claim for reimbursement in the C-band relocation process.

<sup>12</sup> See also 47 C.F.R. § 25.138.

<sup>13</sup> ESOs that elected lump sum reimbursement are not required to remain operational.

Figure 1 Eligibility Criteria for FSS Earth Stations



Earth Stations Outside the Contiguous United States. Should a party seek cost reimbursement pursuant to the process outlined in the *Report and Order* for relocation costs associated with an earth station located outside of the contiguous United States, it must demonstrate that it was required to make the system modifications for which it seeks reimbursement as a direct result of the transition in the contiguous United States to make spectrum available for flexible use (*Report and Order*, para. 204).

## 2.5. Fixed Service Licensees

Fixed Service Licensees (“FSLs”) are incumbent licensees with point-to-point Fixed Service licenses in the 3.7-4.2 GHz band for fixed microwave services. Because the FCC adopted rules to sunset incumbent point-to-point Fixed Service use in the 3.7-4.2 GHz band in the contiguous United States, existing licensees, as of April 19, 2018, of licenses for permanent Fixed Service operations will have until December 5, 2023, to self-relocate their point-to-point links out of the 3.7-4.2 GHz band (*Report and Order*, para. 323). An eligible FSL may seek reimbursement for its relocation costs by submitting a claim to the RPC pursuant to the same procedures available to other Incumbents. The *Report and Order* indicates that “[i]ncumbent licensees of point-to-point Fixed Service links that relocate out of the 3.7-4.2 GHz band by December 5, 2023, shall be eligible for reimbursement of their reasonable costs based on the . . . ‘comparable facilities’ standard used for the transition of microwave links out of other bands. . . . Incumbent Fixed Service licensees will be subject to the same demonstration requirements and reimbursement administrative provisions as those adopted . . . for incumbent earth station operators” (*Report and Order*, para. 326). “Comparable facilities” are defined generally by the FCC as facilities possessing certain characteristics in terms of throughput, reliability, and operating costs as compared to the incumbent’s pre-transition facilities (see 47 C.F.R. § 101.73(d)). A claim for reimbursement by an eligible incumbent FSL will be evaluated based on the extent to which the costs were used to provide the

FSL with comparable facilities after relocation. Submitted costs that supported the creation of comparable facilities (as defined in 47 C.F.R. § 101.73(d)) will generally be reimbursed.

## 2.6. Surrogates

Appropriate surrogates of incumbent SSOs, incumbent ESOs, or incumbent FSLs that incur compensable costs may receive payments from the RPC for such costs. Surrogates are defined as “third parties that are directly involved in transition activities and employed by, or under contract to, incumbent[s]” (*Report and Order*, para. 263 n.656). According to the *Report and Order*, a party other than an incumbent ESO that performs relocation work to transition an earth station (such as an incumbent SSO or a network performing such work pursuant to an existing affiliation agreement) “may directly submit the showing of relocation costs and receive reimbursement, provided the parties do not submit duplicate filings for the same earth station relocation work” (*Report and Order*, para. 260). The RPC will evaluate each third-party reimbursement submission on a case-by-case basis to confirm whether the third party is in contractual privity with the corresponding incumbent SSO, ESO, or FSL to satisfy the FCC’s requirement that it is “employed by, or under contract to” the incumbent (*Report and Order*, para. 260). In connection with that evaluation, the RPC may request additional information or documentation from such third party, or the corresponding incumbent SSO, ESO, or FSL regarding the presence or absence of contractual privity, potentially duplicative reimbursement claims, and/or related reimbursement matters. The RPC may also invite each incumbent SSO, ESO, and FSL to submit a certified list of third parties with which it has contractual privity for the purposes of the submission of C-band relocation costs. The RPC will determine whether the costs submitted by any such third party in contractual privity satisfy the FCC’s other standards for reimbursement.

## 2.7. Programmers

Programmers are a type of surrogate. SSOs, in cooperation with programmers, are responsible for selecting, purchasing, and delivering the necessary compression equipment to the appropriate earth stations<sup>14</sup> (*Cost Catalog Public Notice*, para. 17). To the extent that compression technology equipment is reasonably necessary to complete the transition, an SSO may agree to shift costs to purchase that equipment to a programmer, and that programmer may seek reimbursement from the RPC for its actual costs.<sup>15</sup> The RPC will reimburse a programmer after the programmer has been designated by the SSO to purchase the equipment and has demonstrated that the costs incurred are necessary, reasonable, and actual (*Cost Catalog Public Notice*, para. 19). In general, programmers will be held to the same documentation requirements as SSOs regarding compression equipment.<sup>16</sup>

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<sup>14</sup> Costs associated with physically installing the compression equipment at the earth station site will be reimbursed to the ESO. Such costs are included in the MVPD lump sum amount (*Cost Catalog Public Notice*, para. 17).

<sup>15</sup> The fact that the incumbent ESO receiving the equipment has elected a lump sum payment is irrelevant, as the lump sum payment does not include the costs of purchasing such equipment (*Cost Catalog Public Notice*, para. 19).

<sup>16</sup> See [Appendix – Programmers Documentation Table](#).

### 3. Compensable Relocation Costs

Scope of this Section 3. This Section 3 addresses compensable relocation costs for which an incumbent SSO or ESO may seek reimbursement from the RPC. Compensation based on lump sum elections is addressed in [Section 5](#) of this Handbook.

General. Under the *Report and Order*, compensable relocation costs for which incumbent SSOs and incumbent ESOs may seek reimbursement “include all reasonable engineering, equipment, site and FCC fees, as well as any reasonable, additional costs that the incumbent space station operators and incumbent earth station operators may incur as a result of relocation” (*Report and Order*, para. 193). Compensable relocation costs will be those incurred costs that are **necessary, reasonable, and actual** in connection with the transition of existing operations in the contiguous United States out of the lower 300 MHz of the C-band (*Report and Order*, paras. 194, 195, 196, 200, 207, 207 n.560, 249, 261-262, 302; 47 C.F.R. § 27.1416(a)). These standards are discussed in greater detail below.

Relocation costs must be approved by the RPC to be reimbursed. There will be no RPC pre-approval of costs, including estimated costs, before they are incurred and paid by or on behalf of the claimant. Relocation costs are at risk for non-payment/reimbursement until the RPC has approved the costs for reimbursement as part of its review of an actual claim.

Relocation costs that are determined to be imprudently and/or inefficiently incurred—sometimes referred to as “gold-plating”—will not be deemed to be reasonable and will not be reimbursed above the reasonable costs that the Incumbent would have incurred had it made a more prudent decision (*Report and Order*, para. 195). An Incumbent will not be reimbursed for the speculative value of any business opportunities that it claims it would lose as a result of the transition (*Report and Order*, para. 196).

Cost Catalog. The Cost Catalog released by the WTB on July 30, 2020, identifies potential expenses that Incumbents are likely to incur and provides a range of reasonable costs for those expenses.<sup>17</sup> The *Report and Order* provides that, when the RPC evaluates the reasonableness of costs for which Incumbents seek reimbursement, the RPC will *presume* submissions that fall within the estimated range of costs in the Cost Catalog to be reasonable (*Report and Order*, para. 262, 47 C.F.R. § 27.1416(a)). The RPC, however, will review claims to determine that all costs submitted for reimbursement were necessary to complete the transition, reasonable, and actual. If it is determined that the requested reimbursement amount is not necessary, reasonable, or actual by the RPC, the RPC will notify the submitting party of the amount it deems eligible for reimbursement (*Report and Order*, para. 262). The *Cost Catalog Public Notice* indicates that “inclusion of a category or cost item in the Cost Catalog does not mean, as a matter of course, that such expense would be reasonable in all transitions. Incumbents are eligible to be reimbursed only for those expenses that are reasonably necessary to complete the transition” (*Cost Catalog Public Notice*, para. 8). Notwithstanding the important role of the Cost Catalog in establishing reasonableness, the RPC has discretion to determine the reasonableness of costs submitted for reimbursement and to conduct audits of entities receiving reimbursements (*Report and Order*, para. 261).

If submitted costs are not included in the Cost Catalog or are in excess of the range provided therein, the Incumbents and/or their surrogates and programmers must submit a written justification to the RPC detailing why those costs were necessary and reasonable to effectuate the C-band transition (*Cost*

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<sup>17</sup> See *Cost Catalog Public Notice*. The Cost Catalog is set forth as an Attachment to the *Cost Catalog Public Notice*. See *id.* at 7994 (“Cost Catalog”).

*Catalog Public Notice*, para. 2). Reimbursement determinations for such claims will be made by the RPC on a case-by-case basis (*Cost Catalog Public Notice*, para. 11).

**Soft Costs.** A subset of potentially compensable relocation costs is “soft costs.” Soft costs are “transactional expenses directly attributable to relocation, [including] engineering, consulting, and attorney fees, as well as the costs of acquiring financing for clearing costs,” costs of such financing, insurance costs, and FCC filing fees (*Report and Order*, para. 197). To the extent that a cost does not fall within this definition of soft cost, it is a “hard cost.” The Cost Catalog includes different types of soft costs based on the entity submitting the claim (SSO, ESO, or FSL). Costs submitted for reimbursement will be assessed by the RPC and classified as hard or soft costs on case-by-case basis depending on the nature of the costs. For instance, taxes could be classified as either hard or soft cost depending on the type of item or service being taxed. The *Report and Order* establishes a rebuttable presumption that total soft costs should not exceed 2 percent (2%) of the total relocation hard costs involved (*Report and Order*, para. 198). Claimants seeking reimbursement for soft costs in excess of 2 percent of hard costs “shall bear the burden of justifying these expenses” and must provide a written justification to the RPC demonstrating that such excess costs were “reasonably and unavoidably incurred” (*Report and Order*, para. 198). For a detailed classification of costs included in the Cost Catalog as hard or soft, see [C-band Handbook: Appendix Section I - RPC Cost Classification Policy](#).

**Disputes Regarding Compensable Relocations Costs.** Disputes regarding the determination of compensable relocation costs may be raised with the RPC pursuant to the Dispute Resolution process described in [Section 10](#) of this Handbook and the Dispute Resolution Plan referred to therein.<sup>18</sup>

### 3.1. Necessary Costs

“Necessary” relocation costs are those necessitated by the C-band relocation (*Report and Order*, para. 194). The *Report and Order* indicates that “[s]o long as the costs for which incumbents are seeking reimbursement are reasonably necessary to complete the transition in a timely manner (and reasonable in cost), such expenses would be compensable” (*Report and Order*, para. 194). For SSOs, necessary relocation costs are costs that are “truly required as a direct result of the transition of existing C-band services provided to one or more incumbent earth stations within the contiguous United States” (*Report and Order*, para. 200). The details of SSOs’ transition plans and existing operations are important factors that the RPC will consider when reviewing reimbursement claims for necessity.

#### Transition Plans

The *Report and Order* requires that each eligible SSO submit to the FCC, and make available for public review, a transition plan “describing the necessary steps and estimated costs to transition all existing services out of the lower 300 MHz of the C-band spectrum” (*Report and Order*, para. 302). As required by the FCC, each transition plan must “state a range of estimated costs for the transition, with appropriate itemization to allow reasonable review by overlay licensees, the Clearinghouse, and the Commission” (*Report and Order*, para. 302). Each eligible SSO filed a transition plan with the FCC. The WTB issued a Public Notice on June 23, 2021 opening a new window for eligible SSOs to update their transition plans by July 7, 2021.<sup>19</sup>

<sup>18</sup> The Relocation Payment Clearinghouse – Dispute Resolution Plan is available at <https://cbandrpc.com/resources/>.

<sup>19</sup> *Wireless Telecommunications Bureau Opens Window For Eligible C-band Satellite Operators To Account For Updates In Their Transition Plans*, Public Notice, DA 21-736 (rel. June 23, 2021).

To establish the necessity of submitted claims, the RPC will evaluate cost claims for consistency against the relevant SSO transition plan as part of the claim submission process. Costs submitted for reimbursement should be allocable to specific elements of the transition plan. Satisfaction of this requirement, by itself, may not establish the cost as presumptively reasonable in all cases. The *Report and Order* declines to “make a finding that technology choices that space station operators include in their transition plans automatically will be deemed presumptively reasonable” (*Report and Order*, n.565).

For costs submitted by eligible SSOs that are not consistent with the relevant transition plan, a written justification of necessity must be submitted to the RPC.

#### Existing Operations—Necessary Upgrades Versus Elective Upgrades

When clearing the lower 300 MHz of the C-band, Incumbents are expected “to obtain the equipment that most closely replaces their existing equipment or, as needed, provides the targeted technology upgrades necessary for clearing” (*Report and Order*, para. 194). The *Report and Order* states, “some incumbents will not be able to replace older, legacy equipment with equipment that is exactly comparable in terms of functionality and cost because of advances in technology and because manufacturers often cease supporting older equipment. Incumbents may receive the reasonable replacement cost for such newer equipment to the extent it is needed to carry out the transition” (*Report and Order*, para. 194).

Incremental costs associated with improved functionality or technology upgrades beyond those that are necessary for the relocation will be considered elective and, therefore, will not qualify for reimbursement. The RPC may request from the claimant a detailed cost breakdown and engineering justification based on components and configurations. This additional information, along with any other relevant comparable reimbursement submissions, will be taken into consideration by the RPC when determining incremental costs attributed to elective upgrading. “Incumbents will not receive more reimbursement than necessary” (*Report and Order*, para. 195). The RPC will not reimburse Incumbents for the “speculative value of any business opportunities that they claim they would lose as a result of the transition” (*Report and Order*, para. 196). Further, “costs associated with constructing facilities outside of the United States” will not be considered compensable relocation costs (*Report and Order*, para. 199 n.535).

Based on this guidance, the RPC will compare submitted costs to existing operations and determine whether purchased equipment/technology is comparable, a necessary upgrade, or an elective upgrade.

### 3.2. Reasonable Costs

“Reasonable” relocation costs are those incurred to ensure that incumbent SSOs continue to be able to provide substantially the same or better service to incumbent ESOs, and that incumbent ESOs continue to be able to provide substantially the same service to their customers after the relocation compared to what they were able to provide before (*Report and Order*, para. 194). According to the *Report and Order*, “[s]o long as the costs for which incumbents are seeking reimbursement are reasonably necessary to complete the transition in a timely manner (and reasonable in cost), such expenses would be compensable” (*Report and Order*, para. 194). The RPC’s determination of cost reasonableness will be based on RPC review of supporting documentation and cost justification of actual costs as well as cost comparison against the Cost Catalog, the transition plan (if applicable), and relevant comparable reimbursement submissions, in each case as needed (*Report and Order*, paras. 261-262, 302). If the RPC finds that a particular expenditure is unreasonable, the Incumbent “will only receive compensation for the reasonable costs that the incumbent would have incurred had it made a more prudent decision” (*Report and Order*, para. 195).

The kinds and quantities of expenditures will be evaluated for reasonableness. For example, costs included in the Cost Catalog are set forth on a per unit basis (e.g., per earth station antenna or dish) unless otherwise specified. Pursuant to the *Cost Catalog Public Notice*, in general, only those antennas that are identified under an incumbent earth station registration or license in IBFS shall be counted as a unit toward the calculation of reimbursable expenses. To determine the reasonableness of reimbursement requests, the RPC may consider the claim submission and supporting documentation and any relevant comparable reimbursement submissions (*Report and Order*, para. 262).

### Transition Plans

Incumbent SSO transition plans will be utilized by the RPC to evaluate the reasonableness of submitted costs as part of a reimbursement claim. The RPC will treat costs and quantities laid out in an incumbent SSO's transition plan as a baseline for assessing the scope and costs in a reimbursement claim. Variances between costs and quantities listed in the transition plan and actual costs submitted for reimbursement by the incumbent SSO will require additional information and documentation. Costs submitted for reimbursement should reflect those set out in the SSO's specific transition plan, and claims are subject to review and possible audit by the RPC. Conformance to the transition plan, by itself, may not establish the cost as presumptively reasonable in all cases.<sup>20</sup>

For costs submitted that are not consistent with the transition plan, a written justification of reasonableness will be required (*Report and Order*, para. 302).

### Comparable Reimbursement Submissions

Finally, "to determine the reasonableness of reimbursement requests, the Clearinghouse may consider the submission and supporting documentation, and any relevant comparable reimbursement submissions" (*Report and Order*, para. 262).

## 3.3. Actual Costs

"Actual" relocation costs are those recorded internal and external costs for the actual amount incurred and paid, prior to claim submission, as a result of the C-band transition (*Report and Order*, para. 261; 47 C.F.R. § 27.1415). Internal costs include direct and indirect Incumbent labor expenses, such as salaries and wages, cost of employee benefits, and payroll taxes paid by a claimant as a result of the C-band transition. External costs include supplier and vendor-invoiced expenses, reflective of applicable credits, purchase allowances, and supplier/vendor discounts, paid by a claimant as a result of the C-band transition. Evidence of full payment will be generally required unless the RPC, in consultation with the WTB or the FCC, indicates that evidence of incremental payment is appropriate in specific cases. In most cases, to be reimbursed, actual costs must relate to equipment installed in the field. For example, the RPC will not reimburse batch orders of equipment devices that are being held in a warehouse for future deployments. The RPC will reimburse costs associated with the purchase and installation in the field of spare equipment (e.g., integrated receiver/decoder ("IRD")) (a) that is on standby in a manner consistent with accepted industry practice, and (b) to the extent the claimant had similar kinds and quantities of spare equipment on location pre-transition (*Report and Order*, para. 194).

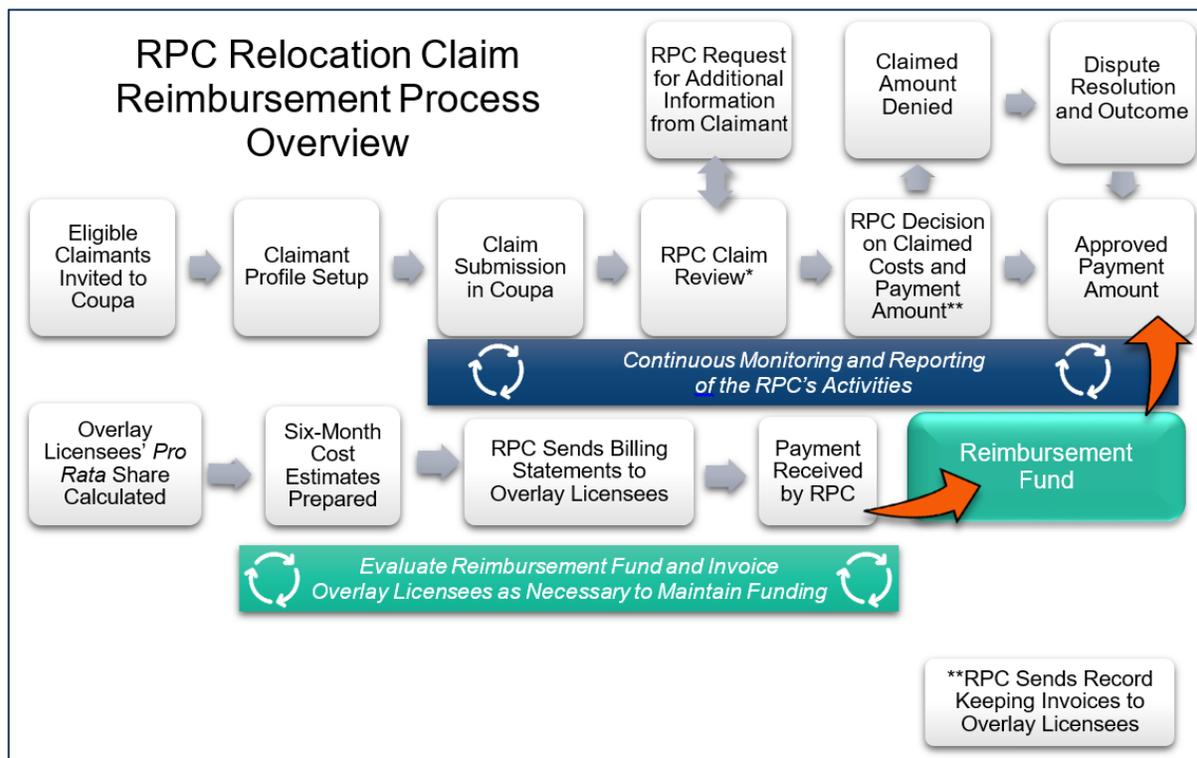
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<sup>20</sup> The FCC declined to "make a finding that technology choices that space station operators include in their transition plans automatically will be deemed presumptively reasonable" (*Report and Order*, para. 209 n.565).

## 4. Filing a Claim—General Points

This Section 4 applies to claims for reimbursement of necessary, reasonable, and actual relocation costs and does not apply to operators of earth stations that elected a lump sum payment.<sup>21</sup> A high-level illustration of the RPC relocation claim reimbursement process is set forth in Figure 2 and described further in this Section 4 and subsequent sections of this C-band Handbook.

Figure 2 RPC Relocation Claim Reimbursement Process Overview



\*During the claim review process, the RPC will “give parties the opportunity to supplement any reimbursement claims that the Clearinghouse deems deficient” (*Report and Order*, para. 260). Disputes between a claimant and Overlay Licensees regarding the RPC’s determination of reimbursable amounts must be raised in the first instance with the RPC pursuant to the Dispute Resolution process described in [Section 10](#) of this Handbook and the Dispute Resolution Plan referred to therein. If a claimant challenges an RPC reimbursement decision that is not also the subject of an objection filed by an Overlay Licensee, the claimant’s sole recourse will be an appeal to the WTB.<sup>22</sup>

All reimbursement claims to the RPC will be submitted and evaluated through the RPC’s claim system, Coupa. Coupa will allow eligible claimants to submit reimbursement claims through a secure portal and will provide visibility for the claimant into the status of claim approval and payment. Steps related to the

<sup>21</sup> See [Section 5](#) Lump Sum Reimbursement for information regarding the RPC review and processing of lump sum elections.

<sup>22</sup> See *Wireless Telecommunications Bureau Establishes a New Docket for C-Band Relocation Payment Clearinghouse Dispute Referrals and Appeals*, Public Notice, WT Docket No. 21-333, DA 21-1014 at 1 n.1 (rel. Aug. 18, 2021).

Coupa setup and claim submission process are set forth below. Detailed, step-by-step “how-to” guides will be available to each claimant within Coupa once the claimant gains access to the system.

#### 4.1. Coupa Setup

A potentially eligible claimant must provide point of contact information for an authorized representative and set up a profile in Coupa, which will allow it to submit claims to the RPC. The creation of a profile in Coupa is an administrative step necessary for a party to submit claims to the RPC and is not determinative of any party’s eligibility to receive reimbursement or of the validity of any claim. The determination of whether a claimant is eligible to receive reimbursement of a claim will be made by the RPC on a case-by-case basis in accordance with the process outlined in this Handbook. Only an authorized representative may submit claims on behalf of a claimant. The RPC will undertake to contact potentially eligible claimants to obtain relevant point of contact information (e.g., the name and email address of the person authorized to submit claims on the claimants’ behalf). Any potentially eligible claimant, including an entity that believes it is a surrogate of an eligible claimant, may provide that information directly to the RPC by sending an email to the RPC’s Service Desk at [info@CbandRPC.com](mailto:info@CbandRPC.com).

Prospective claimants, including those who contact the RPC directly, will receive an invitation from the RPC to initiate the profile setup in Coupa. Upon receiving the invitation, an authorized representative for the claimant will create a Coupa login (a username and password) and will be prompted to complete the claimant profile and provide the following information and documentation:

1. Email
2. Business Name
3. Contact Person’s Name and Phone Number
4. Address
5. Authorization to Submit Claims Form<sup>23</sup>
6. Federal Tax Identification Number (TIN) / Employer Identification Number (EIN)
7. Bank Information (name, address, account, and routing number(s)) for Reimbursement
8. W-9
9. Business License, articles of incorporation filed with the Secretary of State, certificate of good standing, or similar document that recognizes the claimant as a business entity
10. FCC License/Registration<sup>24</sup>
11. Tax Exemption Certification, if applicable

At its discretion, the RPC may request additional information/documentation as necessary to complete the claimant setup process that is required before claims can be submitted to the RPC for reimbursement. A claimant may choose its preferred notification method (*i.e.*, receiving notifications by email and/or by comment conveyed within the Coupa system itself) in its individual Coupa profile setting.<sup>25</sup> All communications will be stored and retained within individual claimant profiles in Coupa for the duration

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<sup>23</sup> The Form is available via a link in the Coupa invitation email. The Form must be completed, signed, and uploaded to Coupa.

<sup>24</sup> Claimants may provide an official or unofficial copy of a FCC license/registration; a license/registration renewal authorization; a license/registration modification authorization; or a receipt from renewal of FCC license/registration.

<sup>25</sup> By default, claimants will be notified via email of communications from the RPC (referred to as “Comments” in Coupa).

of the C-band transition program. A claimant will have access only to its own account information and submitted claims.

## 4.2. Claim Submission

Following a successful profile setup, a claimant can submit claims for reimbursement through the Coupa portal. As part of the submission, a claimant will complete the requisite fields and attach the applicable documentation in Coupa. Specific instructions regarding claim submission in Coupa will be available to prospective claimants via the portal and on the RPC's website. Via Coupa, a claimant will have visibility into the review process for claims it submitted, the ability to track the status of claims it submitted, and the ability to communicate with the RPC's claims team. The RPC will initiate in Coupa any requests for additional information and documentation and will monitor open items to ensure timely claim processing, provided that funding is available and the claim is not subject to a dispute.

## 4.3. Claim Support Information and Documentation

The information requested by the RPC to support a claim will depend on the type of claim submitted for reimbursement. The RPC will require each claimant—including surrogates and programmers—to map costs submitted as part of a claim to specific sections of the Cost Catalog.<sup>26</sup> Eligible parties other than lump sum filers may claim reimbursement for cost items in a relevant category within any table in the Cost Catalog (*Cost Catalog Public Notice*, paras. 7, 11). Thus, claimants are not limited to cost items within any one table. SSOs must map costs submitted as part of a claim to the relevant category in any table in the Cost Catalog and to their transition plan. In addition, costs submitted by an SSO on behalf of its eligible ESOs should be accompanied by a designation regarding which eligible ESO received the goods and/or services. To facilitate the administration of the claims process, the RPC will require each claimant to certify that all costs submitted by the claimant for reimbursement are necessary, reasonable, and actual for the purpose of the C-band relocation.

For the RPC to determine whether the relocation costs are reimbursable, the claimant must provide supporting information and documentation with its claim submission (*Report and Order*, paras. 260-262). Please see [C-band Handbook: Appendix Section II - Earth Station Operators \(ESOs\), ESOs' Surrogates, Fixed Service Licensees \(FSLs\)](#) and [C-band Handbook: Appendix Section II - Space Station Operators \(SSOs\), SSO's Surrogates, and Programmers](#)) for a list, by cost type, of certain standard information and documentation the claimant must submit with its claims in support of the RPC Documentation and Accounting Review and Technical Review (synopsized below in [Section 6](#)). At its discretion, the RPC may request additional information as necessary to assess the reasonableness of costs submitted for reimbursement (*Report and Order*, para. 262).

## 5. Lump Sum Reimbursement

ESOs had the option to (a) elect lump sum reimbursement for all of their incumbent earth stations based on the average, estimated costs of relocating all of their incumbent earth stations, or (b) seek reimbursement for necessary, reasonable, and actual relocation costs (*Report and Order*, para. 202). [Section 4](#) describes the process for an ESO to submit claims for relocation costs. This Section 5 describes the process for an ESO that made a lump sum election, which was accepted by the FCC, to submit a

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<sup>26</sup> The line items of the tables in the Cost Catalog are set forth in Coupa for ease of reference.

claim to the RPC for its lump sum payment. All lump sum reimbursement claims will be assessed by the RPC.

The FCC's Cost Catalog prescribes lump sum amounts for each operational and registered antenna for an incumbent earth station site and for technology upgrades installation on a per-site basis for Multichannel Video Programming Distributor ("MVPD") incumbent earth stations. The lump sum amount for MVPD incumbent earth stations excludes the cost of compression equipment (*i.e.*, IRDs, encoders, and transcoders) for technology upgrades (*Cost Catalog Public Notice*, para. 18); such equipment will be purchased by SSOs in cooperation with programmers (*Cost Catalog Public Notice*, para. 17), and the party purchasing such equipment may seek reimbursement for the costs thereof from the RPC. An ESO that made a lump sum election that was accepted by the FCC may not submit a claim for actual relocation costs. The decision to elect a lump sum reimbursement is irrevocable (*Report and Order*, para. 202). The costs of replacement or additional antennas were not included in the lump sum as part of the average, estimated costs of transitioning (*Cost Catalog Public Notice*, para. 36); as such, reimbursement for the costs of replacement or additional antennas for use by an ESO that made a lump sum election will not be approved.

### 5.1. Eligibility

To be eligible for a lump sum reimbursement, an ESO must have submitted a lump sum election to the FCC by September 14, 2020. Such election was to have provided the information required in paragraph 41 of the *Cost Catalog Public Notice*. The RPC may ask a claimant for any such information that is missing from the lump sum election provided with the lump sum claim made to the RPC.

In addition, the election must have indicated that all earth stations for which the lump sum is being elected will not have ceased operation more than 90 days before the deadline for the lump sum election (*i.e.*, June 16, 2020) and whether each earth station will be transitioning to the upper 200 MHz to maintain C-band services or discontinuing C-band services (*Cost Catalog Public Notice*, para. 42). On June 22, 2021, the IB released a Public Notice providing a list of incumbent ESOs whose lump sum elections were "accepted" by the IB.<sup>27</sup> An ESO is only eligible for a lump sum payment if the IB accepted its lump sum election.

### 5.2. Process for Lump Sum Reimbursement

Claims for lump sum payments will be submitted through Coupa, the RPC's claim system, and evaluated by RPC Claims Processing personnel. Coupa will allow eligible claimants to submit claims through a secure portal and will provide visibility into the status of claim approval and payment. Steps related to the Coupa setup and claim submission process are set forth below. Detailed, step-by-step "how-to" guides will be available to each claimant within Coupa once the claimant gains access to the system.

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<sup>27</sup> See *International Bureau Issues Updated Lump Sum Election Table*, Public Notice, 35 FCC Rcd 13823 (2020). A Table of Lump Sum Elections was an attachment to the Public Notice. See *id.* at 13827. On June 22, 2021, the IB released an Order in which it accepted additional lump sum elections. See *Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States; Lump Sum Election Corrections*, Order, IB Docket No. 20-205, GN Docket No. 20-305, DA 21-730, para. 10 (rel. June 22, 2021).

### 5.3.Coupa Setup

An ESO whose lump sum election was accepted by the IB will provide point of contact information for an authorized representative and will set up a profile in Coupa, which will allow it to submit a claim to the RPC. Only an authorized representative may submit claims on behalf of a lump sum claimant. The RPC will contact eligible lump sum claimants to obtain relevant point of contact information (e.g., the name and email address of the person authorized to submit claims on the claimants' behalf). Alternatively, an eligible lump sum claimant can provide that information directly to the RPC by sending an email to the RPC's Service Desk at [info@CbandRPC.com](mailto:info@CbandRPC.com).<sup>28</sup>

Prospective lump sum claimants will receive an invitation from the RPC to initiate the profile setup in Coupa.<sup>29</sup> Upon receiving the invitation, an authorized representative for the lump sum claimant will create a Coupa login (a username and password) and will be prompted to complete the claimant profile and provide the following information and documentation:

1. Email
2. Business Name
3. Contact Person's Name and Phone Number
4. Address
5. Authorization to Submit Claims Form<sup>30</sup>
6. Federal Tax Identification Number (TIN) / Employer Identification Number (EIN)
7. Bank Information (name, address, account, and routing number(s)) for Reimbursement
8. W-9
9. Business License, articles of incorporation filed with the Secretary of State, certificate of good standing, or similar document that recognizes the claimant as a business entity
10. FCC License/Registration<sup>31</sup>
11. Tax Exemption Certification, if applicable

At its discretion, the RPC may request additional information/documentation as necessary to complete the lump sum claimant setup process that is required before claims can be submitted to the RPC for reimbursement. A lump sum claimant may choose its preferred notification method (*i.e.*, receiving notifications by email and/ or by comment conveyed within the Coupa system itself) in its individual Coupa profile setting.<sup>32</sup> All communications will be stored and retained within individual claimant profiles in Coupa for the duration of the C-band transition program.

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<sup>28</sup> Communications from the RPC's Service Desk originate from the @CbandRPC.atlassian.net email domain.

<sup>29</sup> Invitations to join Coupa will be sent from [do\\_not\\_reply@supplier.coupahost.com](mailto:do_not_reply@supplier.coupahost.com) or [relocation\\_do\\_not\\_reply@relocationclearinghouse.coupahost.com](mailto:relocation_do_not_reply@relocationclearinghouse.coupahost.com). After the account is set up, communications will be sent from [do\\_not\\_reply@relocationclearinghouse.coupahost.com](mailto:do_not_reply@relocationclearinghouse.coupahost.com).

<sup>30</sup> The Form is available via a link in the Coupa invitation email. The Form needs to be completed, signed, and uploaded to Coupa.

<sup>31</sup> Claimants can provide an official or unofficial copy of a FCC license/registration; a license/registration renewal authorization; a license/registration modification authorization; or a receipt from renewal of FCC license/registration. If a lump sum filer holds licenses for multiple earth stations under the same licensee name, it only needs to provide the referenced documentation for one of the earth stations.

<sup>32</sup> By default, claimants will be notified via email of communications (referred to as "Comments" in Coupa) from the RPC.

## 5.4.Claim Submission

Following a successful profile setup, an ESO whose lump sum election was accepted by the IB can submit a claim to the RPC through the Coupa portal for its lump sum reimbursement. As part of the submission, a claimant will verify information, complete the requisite fields, and attach the applicable documentation in Coupa. Most fields will be pre-populated in Coupa based on the ESO's lump sum election filing with the FCC (e.g., applicant name, call sign, site ID, antenna ID, antenna quantities, antenna type, antenna amount claimed, MVPD amount claimed for technology upgrade installation, and total amount claimed). The claimant will review and verify if the pre-populated information is correct. The input from the claimant to Coupa will be limited to needed information that was not provided in the claimant's lump sum election. There will be a field in Coupa giving an MVPD earth station the **option** to enter the number of IRDs it has received or will be receiving for the relocation. The ESO may leave this field blank. Leaving this field blank will not prevent the RPC from evaluating and/ or approving the claim from the ESO. When an ESO submits a lump sum reimbursement claim to the RPC, it should upload in Coupa the lump sum election that was filed with the FCC as well as any correction or amendment filed with the FCC, which documents will serve as supporting documentation for the claim. Specific instructions regarding how to submit a claim and upload a document in Coupa will be available via the portal to all eligible claimants. Claimants may submit multiple claim filings simultaneously through Coupa.<sup>33</sup> Via Coupa, a claimant will have visibility into the claims review process, the ability to track the status of a submitted claim, and the ability to communicate with the RPC's claims team.

All lump sum reimbursement claims will be assessed by the RPC, and the RPC will monitor open items to ensure timely and efficient claim processing. In the majority of cases, the RPC's examination of a lump sum reimbursement claim will be narrowly focused. As contemplated by the FCC, the RPC will verify the information certified in the lump sum election – including the antenna type and class of earth station (*Cost Catalog Public Notice*, para. 40). The RPC will initiate any requests for additional information and documentation on a case-by-case basis when needed to verify the information certified in a lump sum election. Discrepancies will be addressed in the same manner as other reimbursement claims. In its reasonable discretion, the RPC may make limited adjustments (in the form of a reimbursement amount increase or decrease) to a lump sum reimbursement claim to correct an error in a lump sum election.

Following the approval of a claim, and within 30 days of submission of notice of approval by Invoice to Overlay Licensees, the RPC will issue a wire payment to the verified bank account on file for the subject claimant provided that funding is available and the claim is not subject to a dispute.

## 6. The RPC's Approach to Reviewing Claims<sup>34</sup>

The RPC will review claim submissions and supporting documentation and assess the claim against the requirements of the *Report and Order*, and, as applicable, against an SSO's transition plan and the Cost Catalog to determine the suitability of the submitted costs for reimbursement (*Report and Order*, paras. 261, 262, 302). The RPC's evaluation generally will be comprised of a documentation and accounting review, a technical review, and a legal review, each described below. Each element of the RPC's evaluation may not be needed in the case of each submitted claim, and the level of detail associated with

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<sup>33</sup> A lump sum filer may file one claim per *lump sum election filing* made with the FCC. Thus, if a lump sum election filing claimed several earth stations, the lump sum filer need only file one claim that covers those earth stations with the RPC.

<sup>34</sup> This Section 6 only applies to claims for necessary, reasonable, and actual relocation costs and not to claims for lump sum payment.

each claim evaluation can vary on a case-by-case basis.<sup>35</sup> The descriptions that follow are intended to synopsize the RPC's general claim evaluation approach, which will be tailored in practice to particular circumstances and the details of specific claims for reimbursement and associated documentation.

Documentation and Accounting Review. Each claim submitted must be for necessary, reasonable and actual costs. The RPC will review the claim for accuracy, and the RPC will determine whether documentation to support the claim is complete. For example, the RPC will verify that all pages of an invoice are provided, that the information on the invoice is clear and legible, and that cost codes assigned to invoice line items are consistent with the Cost Catalog. The RPC will evaluate the adequacy of the support provided and will determine whether the amounts claimed for reimbursement correspond to source documents. The RPC may request additional relevant documentation from a claimant in support of a submission for reimbursement, and claimants should make available to the RPC such additional documentation upon request (*Report and Order*, para. 261). To confirm that submitted claims are necessary to achieve the objectives of the C-band program, the RPC will request and evaluate details regarding specific costs incurred (e.g., identification of a specific earth station for which a filter is purchased).

In coordination with the technical review (synopsized below), the RPC will also evaluate “necessity” based on the pre-transition operations and transition needs of each claimant. Once necessity is confirmed, the RPC will review submitted costs for reasonableness based on the Cost Catalog range and, in connection therewith, may consider “any relevant comparable reimbursement submissions” (*Report and Order*, para. 262). The RPC will also examine whether the costs submitted for reimbursement are those recorded internal and external costs for the actual amount incurred and paid, prior to claim submission, as a result of the C-band transition (*Report and Order*, para. 261; 47 C.F.R. § 27.1415).

Technical Review. In connection with each claim for reimbursement, the RPC will evaluate the associated claim specifications and technical details to verify the necessity and reasonableness of costs submitted for reimbursement. Among other things, this assessment will consider the comparability of newly-purchased equipment associated with a claim to corresponding pre-transition equipment and whether the newer equipment “is needed to carry out the transition”<sup>36</sup> (*Report and Order*, para. 194). In addition, the technical review will evaluate the claimant's justification for any costs that fall outside of the Cost Catalog or above the specified range of costs in the Cost Catalog<sup>37</sup> (*Report and Order*, para. 262). The RPC will review the claims submitted and compare them to individual transition plans to determine whether the claims submitted for reimbursement include equipment and services originally contemplated by the claimant to be necessary to successfully complete each relocation. In coordination with the documentation and accounting review (synopsized above), this evaluation will also include an assessment of the suitability of technical specifications and details submitted with or in connection with

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<sup>35</sup> See [C-band Handbook Appendix](#) for further details.

<sup>36</sup> This evaluation will generally assess whether the costs submitted for reimbursement were necessary to implement step(s) described in the relevant transition plan, and whether a claim for a portion of the modifications anticipated to certain facilities or equipment is accompanied by documentation sufficient to identify what changes have been implemented and what remaining changes will occur (*Report and Order*, para. 262).

<sup>37</sup> Among other things, this assessment will include whether labor and labor-related entries are reasonable for the subject task and whether changes shared between compensable and non-compensable undertakings are reasonably allocated to and benefitting the purpose of the C-band transition.

a claim for reimbursement.<sup>38</sup> The RPC may perform technical audits—including site visits—to confirm modifications to an Incumbent's equipment made during the C-band relocation. Such audits, if performed, would be more likely for larger cost transitions, without excluding the possibility of random audits for smaller cost transitions. RPC audits may be performed before, during, or after the transition (*Report and Order*, para. 261).

Legal/Regulatory Review. In coordination with the documentation and accounting review and the technical review (each synopsized above), the RPC will evaluate claims for reimbursement for compliance with the *Report and Order* and the FCC's Rules.

## 7. Claim Reimbursements

### 7.1. Reimbursement of Relocation Costs

Following a determination of the reimbursable amount of a claim by the RPC, the RPC will use information regarding the approved claim and the reimbursable amount to be paid to the claimant to prepare each Invoice, which Invoice it will deliver to relevant Overlay Licensees. The RPC will contemporaneously provide the claimants with the information provided to the Overlay Licensees regarding their respective claims. Each such Invoice may include multiple approved claims and reimbursable amounts. The RPC will also include its own costs in such Invoices (47 C.F.R. § 27.1416(b)). The RPC will then initiate the payment process for the approved reimbursable amount. The RPC will pay the reimbursable amount associated with the approved claim within thirty (30) days of the date of the Invoice on which the approved claim and reimbursable amount first appears so long as funding is available (*Report and Order*, para. 264), subject to a delay in that payment schedule due to any dispute relating to the approved claim and/or the reimbursable amount.<sup>39</sup> The RPC will utilize banking information provided by a claimant in its profile in Coupa to send the reimbursable amount by wire transfer. The RPC will continuously forecast and monitor claims submitted for reimbursement and bill Overlay Licensees at the point in time when additional funds will be needed to pay claims (*Report and Order*, para. 262). Disputes regarding claim reimbursements may be raised with the RPC pursuant to the Dispute Resolution process described in [Section 10](#) of this Handbook and the Dispute Resolution Plan referred to therein.

### 7.2. Accelerated Relocation Payments

Details of the terms and conditions for the disbursement of accelerated relocation payments are set forth in Section 8 of this Handbook.

## 8. Accelerated Relocation Payments

The *Report and Order* provided an opportunity for eligible SSOs to make accelerated relocation elections, whereby they voluntarily committed to clear their licensed spectrum on an accelerated schedule in exchange for accelerated relocation payments (*Report and Order*, para. 168). Five eligible SSOs elected

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<sup>38</sup> Evaluation elements will generally include whether the information provided is sufficient to make an assessment of necessity and reasonableness of costs submitted for reimbursement; whether the claim includes supporting technical materials sufficient to explain and justify claims (e.g., photographs, diagrams, physical descriptions, bills of materials, comparisons of facilities arrangements before and after transition work); whether suitable detail is presented regarding the intended utility of specific investments (e.g., spares, redundancy).

<sup>39</sup> See [Section 10](#) for further details on the Dispute Resolution process.

to meet the accelerated relocation deadlines and clear all existing services out of the lower 120 MHz in the C-band in certain PEAs by the **December 5, 2021**, Phase I deadline and all remaining services out of the entire lower 300 MHz (3.7-4.0 GHz) by the **December 5, 2023**, Phase II deadline (*Report and Order*, paras. 171, 200). If all relevant deadlines set forth in the *Report and Order* are satisfied, Overlay Licensees in the 46 PEAs of the lower 100 MHz (Block A) that are the subject of the Phase I Accelerated Relocation Deadline (PEAs 1–4, 6–10, 12–19, 21–41, and 43–50) will pay the Phase I accelerated relocation payment, and all Overlay Licensees will pay the Phase II accelerated relocation payment (*Report and Order*, paras. 171, 265).

Each eligible SSO must file with the RPC a “Certification of Accelerated Relocation demonstrating, in good faith, that it has completed the necessary clearing actions to satisfy each deadline” (*Report and Order*, para. 298). Each eligible SSO must also file this certification in GN Docket Nos. 18-122 and 21-320 for public review once it has completed its necessary clearing actions but “no later than the applicable relocation deadline” (*Report and Order*, para. 298, *Phase I Certification Public Notice* at 1).<sup>40</sup> The WTB, the RPC, and “relevant stakeholders” will have the opportunity to review each such certification and to identify potential deficiencies (*Report and Order*, para. 299). Stakeholders must file any related challenges, replies or *ex partes*, in GN Docket No. 21-320 (*Phase I Certification Public Notice* at 1). The WTB prescribed the form of any challenges by relevant stakeholders as to the validity of the certification and established the process for how such challenges will impact the incremental decreases in the accelerated relocation payment (*Report and Order*, para. 299). Absent notice from the WTB of any deficiencies within thirty (30) days of the filing of a particular certification, the certification will be deemed validated (*Report and Order*, para. 299). Following validation of a particular certification, the RPC will promptly notify Overlay Licensees of their *pro rata* share of accelerated relocation payments. All invoices will include payment instructions and terms for those amounts. Overlay Licensees will be required to pay the accelerated relocation payments to the RPC within sixty (60) days of the notice that an eligible SSO has met its accelerated clearing benchmark, and the RPC will disburse the accelerated relocation payments to the relevant SSO within seven (7) days of receiving the payment from Overlay Licensees (*Report and Order*, para. 300).

The RPC will distribute the relevant accelerated relocation payment to each eligible SSO that meets the corresponding deadline according to the amounts provided in Figure 3 below (*Report and Order*, para. 232):

Figure 3 Accelerated Relocation Payments by SSO

Accelerated Relocation Payment by Operator			
Space Station Operator	Total Payment	Phase I	Phase II
Intelsat	\$4,865,366,000	\$1,197,842,000	\$3,667,524,000
SES	\$3,968,133,000	\$976,945,000	\$2,991,188,000
Eutelsat	\$506,978,000	\$124,817,000	\$382,161,000
Telesat	\$344,400,000	\$84,790,000	\$259,610,000
Star One	\$15,124,000	\$3,723,000	\$11,401,000
<b>TOTAL</b>	<b>\$9,700,001,000</b>	<b>\$2,388,117,000</b>	<b>\$7,311,884,000</b>

<sup>40</sup> *Wireless Telecommunications Bureau Opens a New Docket and Establishes the Process for C-Band Space Station Operator Phase I Certification of Accelerated Relocation*, Public Notice, GN Docket Nos. 18-122 and 21-320, DA 21-957 (rel. Aug. 4, 2021) (“*Phase I Certification Public Notice*”).

Overlay Licensees will be allowed to begin operations in their respective blocks and PEAs upon notice of a validated Certification of Accelerated Relocation, and, as relevant, following payment of any required accelerated relocation payments (*Report and Order*, para. 300). Should an eligible space station operator miss the Phase I or Phase II deadline, it may still receive a reduced, but non-zero, accelerated relocation payment if it otherwise meets the Certification requirements within six months after the relevant Accelerated Relocation Deadline. (*Report and Order*, para. 297, *Phase I Certification Public Notice* at 3, 47 C.F.R. § 27.1422(d)):

Figure 4 Accelerated Relocation Payment Reduction by Days Missed<sup>41</sup>

Date of Completion	Incremental Reduction	Accelerated Relocation Payment
By Deadline	---	100%
1-30 Days Late	5%	95%
31-60 Days Late	5%	90%
61-90 Days Late	10%	80%
91-120 Days Late	10%	70%
121-150 Days Late	20%	50%
151-180 Days Late	20%	30%
181+ Days Late	30%	0%

## 9. Overlay Licensees

As discussed above, Overlay Licensees will fund Incumbents' relocation costs for the C-band transition. Each Overlay Licensee will make payments into a reimbursement fund administered by the RPC, and the RPC will draw from that fund to pay approved, invoiced reimbursement claims (*Report and Order*, paras. 263-264). In addition, Overlay Licensees must pay their share of accelerated relocation payments to eligible SSOs that voluntarily clear their licensed spectrum on an accelerated schedule (*Report and Order*, para. 187). This section provides information about billing and collections and how each Overlay Licensee's *pro rata* share is calculated.

### 9.1. Billing Overlay Licensees and Record Keeping for Relocation Costs

An Overlay Licensee will receive two separate types of billing/record keeping documents from the RPC: (1) billing statements for the Overlay Licensee's *pro rata* share of relocation costs ("Billing Statements"), and (2) invoices detailing approved C-band relocation reimbursement claims ("Invoices"). These documents are described in general below.

**Billing Statements for Relocation Costs.** An Overlay Licensee will make an initial payment into the C-band reimbursement fund after its 3.7 GHz Service license(s) is/are granted by the FCC and then make additional payments every six months (*Report and Order*, paras. 263-264). The RPC will send Billing Statements to each Overlay Licensee that show the amounts it owes to the C-band reimbursement fund.

<sup>41</sup> On August 4, 2021, the WTB released a Public Notice seeking comment on the implementation of the Commission's incremental reduction plan for Phase I accelerated relocation payments. *Wireless Telecommunications Bureau Seeks Comment on Implementation of the Commission's Incremental Reduction Plan For Phase I Accelerated Relocation*, Public Notice, GN Docket Nos. 18-122 and 21-320, DA 21-958 (rel. Aug. 4, 2021).

After an overlay license is granted, the RPC will send the Overlay Licensee its first Billing Statement, which will consist of its *pro rata* share of all actual C-band relocation costs incurred prior to the auction, including estimated costs for lump sum payments, as well as estimated costs for the first six months of the transition following the auction (except for accelerated relocation payments, which are addressed separately in [Section 8](#) above). The Billing Statement will also include the RPC's administrative costs (*Report and Order*, para. 267, 47 C.F.R. § 27.1416(b)). The Overlay Licensee will have thirty (30) days from the Billing Statement to pay the billed amounts to the RPC (*Report and Order*, paras. 263-264). Payment instructions will be included on each Billing Statement.

Following the issuance of the first Billing Statement to an Overlay Licensee, the RPC will calculate the Overlay Licensee's share of estimated Incumbents' relocation costs and the RPC's administrative costs for (a) the second six-month period of the transition, and (b) each successive six-month period of the transition on an ongoing basis thereafter (*Report and Order*, para. 264). Following the initial round of Overlay Licensee funding, the RPC will synchronize the funding process across Overlay Licensees. The RPC will send a Billing Statement to each Overlay Licensee with its *pro rata* share of such costs and the amount it owes at least thirty (30) days prior to the beginning of the second six-month period and each six-month period thereafter. The RPC will adjust each six-month estimate based on actual relocation costs submitted by Incumbents in the previous six-month period.

If there are not sufficient funds in the reimbursement account for the RPC to pay approved claims before the next six-month replenishment(s), Overlay Licensees will be required to make additional C-band relocation payments. In such case, the RPC will provide each Overlay Licensee with a supplemental Billing Statement that provides thirty (30) days' notice of the additional amount(s) it must contribute as a result of the insufficiency of reimbursement funds (*Report and Order*, para. 264).

Record Keeping Invoices of Approved and Rejected Claims. In addition to ongoing Billing Statements to each Overlay Licensee, the RPC will deliver to each Overlay Licensee during each month of the C-band relocation an Invoice detailing approved and rejected claims for relocation costs reimbursements that have either not appeared on an earlier Invoice or that have been adjusted relative to what appeared on an earlier Invoice (*Report and Order*, para. 264). Such Invoices shall be informational only, and Overlay Licensees will **not** make payments for relocation costs recorded on such Invoices independent of payments made in response to RPC Billing Statements. The RPC will contemporaneously provide the claimants with the information provided to the Overlay Licensees regarding their respective claims.

## 9.2. Funds Collected from Overlay Licensees for Relocation Costs

Overlay Licensee payments for relocation costs will be remitted to the RPC and maintained in a reimbursement account with Truist Financial Corporation ("Truist"). Truist will sweep all payments received for Incumbents' relocation costs into a trust depository account, where the funds will be invested in U.S. Treasury securities until such time as they are needed for claim reimbursements. "Any interest arising from the reimbursement fund shall be used to defray the costs of the transition for all overlay licensees on a *pro rata* basis" (*Report and Order*, para. 264). The RPC will reduce amounts billed to Overlay Licensees to account for interest income and U.S. Treasury securities income and/or gains generated by the Overlay Licensees' respective payments to the RPC on each Billing Statement. At the end of the transition, the RPC will return any unused reimbursement amounts to Overlay Licensees according to their shares (*Report and Order*, para. 264).

### 9.3. Billing Overlay Licensees for Accelerated Relocation Payments

Details of the terms and conditions for the billing and collection of accelerated relocation payments from Overlay Licensees are set forth in [Section 8](#) of this Handbook.

### 9.4. Overlay Licensee Pro Rata Share Calculations

The share of payments for each Overlay Licensee will be based on “the licensee’s *pro rata* share of gross winning bids” of Auction 107 (*Report and Order*, para. 250). The following formulas are calculated independently from one another and defined in the *Report and Order* (*Report and Order*, paras. 251–254).

The RPC will use the formula below to calculate the **pro rata share of SSO and RPC costs** for each Overlay Licensee. Such *pro rata* share will be the sum of the final clock phase prices for the set of all license blocks won by the bidder divided by total final clock phase prices for ALL license blocks sold in the auction, multiplied by the total eligible relocation costs (*Report and Order*, para. 251).

$$\text{Pro rata share of each Overlay Licensee} = \frac{\text{Final clock phase prices for the set of all license blocks won by bidder}}{\text{Total final clock phase prices for ALL license blocks sold in the auction}} \times \text{Total eligible relocation costs}$$

The RPC will use the formula below to calculate the **pro rata share of each Overlay Licensee for ESO and FSL** relocation costs. The *pro rata* share will be determined on a PEA-specific basis, based on the final clock phase prices for the license blocks it won in each PEA. Such *pro rata* share will be the sum of the final clock phase prices for the set of all license blocks won by the bidder in each PEA divided by the total final clock phase prices for ALL license blocks sold in the PEA area, multiplied by PEA-specific earth station and FSL relocation costs (*Report and Order*, para. 252).

$$\text{Pro rata share of each Overlay Licensee} = \frac{\text{Final clock phase prices for the set of all license blocks won by bidder in each PEA}}{\text{Total final clock phase prices for ALL license blocks sold in the PEA}} \times \text{PEA specific earth station and fixed service relocation costs}$$

The RPC will use the formula below to calculate the **pro rata share of each Overlay Licensee for Phase I accelerated relocation payments**. Overlay Licensees of the 3.7–3.8 GHz in the 46 PEAs that are cleared by December 5, 2021, will be responsible for their *pro rata* share of Phase I accelerated relocation payments. Such *pro rata* share will be the sum of the final clock phase prices for the set of all license blocks won by the bidder in those 46 PEAs divided by the total final clock phase prices for ALL license blocks sold in those 46 PEAs, multiplied by the total accelerated relocation payment for Phase I.

$$\text{Pro rata share of each Overlay Licensee of the 3.7-3.8 GHz in the 46 PEAs cleared by Dec. 5, 2021} = \frac{\text{Final clock phase prices for the set of all license blocks won by bidder in Phase I}}{\text{Total final clock phase prices for ALL license blocks sold in those 46 PEAs}} \times \text{Total Accelerated Relocation Payment for Phase I}$$

The RPC will use the formula below to calculate the **pro rata share of each Overlay Licensee for Phase II accelerated relocation payments**. All Overlay Licensees will be responsible for their *pro rata* share of Phase II accelerated relocation payments. Such *pro rata* share will be the sum of the final clock phase prices for the set of all license blocks won by the bidder in the entire auction divided by the total final clock phase prices for ALL license blocks sold in the auction, multiplied by the total accelerated relocation payment due for Phase II.

$$\begin{array}{c}
 \text{Pro rata share of each} \\
 \text{Overlay Licensee}
 \end{array}
 =
 \frac{\text{Final clock phase prices for the set of all license} \\
 \text{blocks won by bidder}}{\text{Total final clock phase prices for ALL license} \\
 \text{blocks sold in the auction}}
 \times
 \text{Total Accelerated} \\
 \text{Relocation} \\
 \text{Payment for} \\
 \text{Phase II}$$

## 10. Dispute Resolution

The FCC has directed the RPC to mediate or arbitrate financial disputes that may arise during the course of the reconfiguration of the C-band (*Report and Order*, para. 255). The *Report and Order* authorizes the RPC to “mediate any disputes regarding cost estimates or payments that may arise in the course of band reconfiguration” (*Report and Order*, para. 268). If the disputant parties are unable to reach agreement through mediation, they may seek expedited non-binding arbitration, which must be completed within thirty (30) days of the recommended decision or advice of the RPC or other mediator. The parties will share the cost of this arbitration if it is before the RPC (*Report and Order*, para. 268). If any issues still remain unresolved after the mediation or non-binding arbitration, the *Report and Order* directs the RPC to forward the record of the dispute, together with such dispositions thereof that the RPC has considered, to the WTB to decide the issue (*Report and Order*, para. 269). The *Report and Order* also authorizes the RPC to refer the disputant parties to non-RPC alternative dispute resolution (“ADR”) fora (*Report and Order*, para. 268). If a claimant challenges an RPC reimbursement decision that is not also the subject of an objection filed by an Overlay Licensee, the claimant’s sole recourse will be an appeal to the WTB.<sup>42</sup>

The RPC’s dispute resolution responsibilities will be conducted pursuant to a transparent Dispute Resolution Plan by the RPC’s General Counsel, Squire Patton Boggs (US) LLP.<sup>43</sup> The Dispute Resolution Plan sets forth the procedures that the RPC will follow in carrying out its dispute resolution obligations under the *Report and Order*. Because of the RPC’s unique role (*i.e.*, its duty to mediate and arbitrate financial disputes and recommend resolutions) and its obligation to comply with the *Report and Order*’s stringent time schedules, the RPC will employ procedures that are informed by, but do not mirror, ADR procedures utilized by other ADR bodies and institutions.

The purpose of the aforementioned mediation and non-binding arbitration is to facilitate the resolution of disputes between C-band stakeholders by the parties themselves. Mediation and non-binding arbitration are means to an end, not ends in and of themselves. RPC Mediators and RPC Arbitrators (as defined in the Dispute Resolution Plan) will therefore administer the mediation and arbitration processes set forth

<sup>42</sup> See *Wireless Telecommunications Bureau Establishes a New Docket for C-Band Relocation Payment Clearinghouse Dispute Referrals and Appeals*, Public Notice, WT Docket No. 21-333, DA 21-1014 at 1 n.1 (rel. Aug. 18, 2021).

<sup>43</sup> The Relocation Payment Clearinghouse – Dispute Resolution Plan and annexes are available at <https://cbandrpc.com/resources/>.

in the Dispute Resolution Plan in a flexible, but fair, manner, informed by the interests of the parties in achieving a satisfactory, efficient resolution of the issues in dispute.

The Relocation Coordinator is responsible for mediating disputes involving the scheduling of relocation activities and receiving notices from ESOs and other satellite operators of disputes related to the comparability of facilities, workmanship, or preservation of service during the C-band reconfiguration.

## 11. Fraud, Waste, and Abuse

The RPC is committed to guarding against fraud, waste, and abuse in the C-band relocation program (*Report and Order*, para. 259). The RPC's internal controls are designed and created to effectively deter, detect, and mitigate such fraud, waste, and/or abuse within the C-band relocation program consistent with the *Report and Order*. The claim and payment evaluation processes by the RPC are intended to create a robust control environment while enabling efficient and effective operations. To flag irregular activities, the RPC will utilize data analytic tools and apply fraud detection and prevention methods and real-time judgment through multiple levels of evaluation, review, and approval. The RPC has implemented several safeguards to detect and prevent potential fraud, waste, and/or abuse. The RPC will not approve claims where it suspects fraud. Program participants also have a key role in preventing and detecting fraud, waste, and/or abuse. The obligations of program participants are discussed in [Section 11.1](#). These obligations may be periodically amended.

### 11.1. Obligations

All program participants must:

1. Report any suspected fraud, waste, or abuse in the C-band relocation program to the RPC via the fraud hotline via telephone at (844) 565-0706, via the web at [cbandrpc.ethicspoint.com](http://cbandrpc.ethicspoint.com), or via a mobile device at [cbandrpcmobil.ehticspoint.com](http://cbandrpcmobil.ehticspoint.com). Further details are provided on the RPC's website. The RPC has established this special whistleblower hotline designed as a channel allowing employees, claimants, vendors, and other C-band stakeholders to confidentially alert the RPC about reasonable suspicions of misconduct. This hotline is an important tool for reducing risks and building trust, as it will help the RPC to detect and act on possible misconduct at an early stage. Issues reported via this fraud hotline will be sent directly to the RPC's Risk and Governance team for review. Consistent with the FCC's oversight obligations under the *Report and Order*, the RPC will also report to the FCC all evidence and/or each allegation of suspected fraud, waste, or abuse related to the C-band relocation program along with an initial assessment of the credibility and substantiality of any such allegation.
2. Implement and document internal safeguards and procedures to detect and deter potential fraud, waste, and/or abuse in the C-band relocation program.
3. Prepare and submit only claims that they believe in good faith contain necessary, reasonable, and actual expenses directly related to C-band relocation.
4. Certify that claims submitted in connection with the C-band relocation program include only costs that they believe in good faith are necessary, reasonable, and actual.
5. Return to the RPC any previously reimbursed funds that have been subsequently deemed as ineligible claim reimbursement (e.g., funds may have to be returned if the claimant does not complete its relocation by the deadlines specified in the *Report and Order*).
6. If the program participant is a claimant, maintain all records and other supporting evidence associated with C-band relocation for twelve (12) months following completion of the final

relocation deadline set by the *Report and Order* as December 5, 2025, and provide the RPC, or any auditor appointed by the RPC, with access to such records.

## 11.2. Prohibitions

Program participants must not, in their interactions with the RPC or in the C-band relocation program, as appropriate:

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

## 11.3. The RPC’s Safeguards

The RPC will not approve claims where it suspects fraud. The RPC has implemented the following safeguards designed to detect and deter fraud, waste, and/or abuse in C-band claims:

1. The RPC will evaluate transition plans and the Cost Catalog as a prerequisite for a claimant to receive reimbursement.
2. The RPC will track, review, and compare claims between claimants to ensure no duplication of expenses.
3. The RPC, or a third-party on behalf of the RPC, may conduct audits, data validation, and site visits of and to entities receiving payments from the reimbursement fund.
4. The RPC will require claimants to certify that the funds requested are necessary, reasonable, and actual and no unnecessary upgrades were included in the claim submission.
5. RPC software and applications will utilize controls to limit user access to any potentially sensitive or confidential information.
6. All RPC-managed systems will use two-factor authentication to ensure that information is only available to authorized parties.
7. Multi-tiered approvals will be implemented during the payment process to ensure that key decisions made during this process are not delegated to a single individual, including the final decision to approve a disbursement.
8. Only designated RPC personnel, as described within the RPC Financial Management Policies and Procedures Manual, will have access to the reimbursement fund.

**C-BAND RELOCATION PAYMENT CLEARINGHOUSE**

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**Capitalized terms used in this Appendix without other definition shall, unless expressly stated otherwise, have the meanings specified in the C-band Handbook.**

**I. RPC Cost Classification Policy**

Eligible claimants may receive reimbursement for two basic categories of C-band relocation costs during the C-band relocation program: hard costs and soft costs.

**Overview**

The RPC has adopted this Cost Classification Policy to govern the reimbursement of C-band relocation expenses incurred by eligible claimants, pursuant to the *Report and Order* and the FCC’s Rules. A reference to a “Table” in the materials below in this Cost Classification Policy is to the corresponding table in the Cost Catalog. Please note that Cost Catalog Table III-E-1: Estimated Lump Sum Payments for Incumbent Earth Stations does not appear in this Cost Classification Policy because the lump sum amounts set forth in that table need not be classified as hard costs or soft costs.

**General Policy**

**Hard costs** are defined as the necessary, reasonable, and actual costs directly attributable to the C-band relocation that include, but may not be limited to, the following categories. (Please note that soft costs are excluded from the delineation of Cost Catalog hard costs that appear here, and hard costs are excluded from the delineation of Cost Catalog soft costs.) These categories are set forth in the same order as in the Cost Catalog. Parties other than lump sum filers may claim reimbursement for cost items in a relevant category within any table in the Cost Catalog (*Cost Catalog Public Notice*, paras. 7, 11). Thus, claimants are not limited to cost items within any one table. The RPC will consider all cost items reported in the following Tables as hard costs:

**1. Satellite Operator Costs:**

- A. Expected Costs to Repack Satellites – Table II-A-1
- B. In-Orbit Delivery of New Satellite(s) – Table II-B-1
- C. Space Segment Cost Breakout – Table II-C-1, Table II-C-2

**2. Earth Station Migration and Filtering Costs:**

- A. Antenna Filtering/Retuning/Repointing – Table III-A-1, Table III-A-2, Table III-A-4, Table III-A-5, and Table III-A-6
- B. Equipment Costs - Table III-B-1, Table III-B-2, Table III-B-3, Table III-B-4, and Table III-B-5
- C. Telemetry, Tracking, and Control (“TT&C”) Consolidation Costs - Table III-C-1
- D. Potential Total Costs – Antenna Replacement - Table III-D-1

3. **Fixed Service Licensee Costs:**
  - A. Retuning Only Relocation – Table IV-A-1
  - B. Site/Project Costs for Same Tower Equipment Replacement – Table IV-C-1, Table IV-C-2, and Table IV-C-3
  - C. Additional Site/Project Costs Associated with New Site(s) – Table IV-D-1, Table IV-D-2, Table IV-D-3 and Table IV-D-4
  - D. Potential Total Costs – Fixed Service – Table IV-E-1
4. **Technology Upgrades:** Table V-A-1 and Table V-A-2

**Soft costs** are defined as the necessary, reasonable, and actual costs directly attributable to the C-band relocation that include, but may not be limited to, the following categories. (Please note that hard costs are excluded from the delineation of Cost Catalog soft costs that appear here, and soft costs are excluded from the delineation of Cost Catalog hard costs.) These categories are set forth in the same order as in the Cost Catalog.) Parties other than lump sum filers may claim reimbursement for cost items in a relevant category within any table in the Cost Catalog (*Cost Catalog Public Notice*, paras. 7, 11). Thus, claimants are not limited to cost items within any one table. The RPC will consider cost items reported in the following Tables as soft costs:

1. **Satellite Operator Costs:**
  - A. Space Segment Cost Breakout – Table II-C-3, Table II-C-4, Table II-C-5, and Table II-C-6
  - B. Relocation Program Management – Table II-D-1
2. **Earth Station Migration and Filtering Costs:**
  - A. Earth Station Migration Project Costs – Table III-A-3
3. **Fixed Service Licensee Costs:**
  - A. Project Management, Consulting, Attorney, and FCC Costs/Fees – Table IV-B-1, Table IV-B-2, and Table IV-B-3

## II. Documentation Requirements

### Lump Sum Election Filers

The following table describes the documentation that will be required from lump sum election filers. The RPC may request additional information (not listed below) from a lump sum filer in particular cases, the need for which will be identified by the RPC and communicated to the Earth Station Operator (ESO).

<b>DOCUMENTATION – Lump Sum Election Filers</b>	<b>Always</b>	<b>Upon Request</b>
Lump Sum Election filing, amendments, modifications filed with the FCC	✓	
If potential discrepancies are identified, additional information and documentation may need to be provided		✓

Earth Station Operators (ESOs), Fixed Service Licensees (FSLs), and their Surrogates

The following tables describe the documentation that will be required from ESOs, FSLs, and their Surrogates, as applicable. The RPC may request additional information (not listed below) from an ESO, an FSL, or their Surrogate in particular cases, the need for which will be identified by the RPC and communicated to the ESO, the FSL, or their Surrogate.

DOCUMENTATION – ESOs and FSLs	Always	Upon Request
<b>Hard and Soft Costs:</b> Vendor/third party invoices and receipts	✓	
<b>Hard and Soft Costs:</b> Mapping to the Cost Catalog	✓	
<b>Hard and Soft Costs:</b> Proof of invoice payment, such as bank statement and general ledger detail for batch payments. Payments should include any discounts/rebates, and statements with refunds and/or credits	✓	
<b>Hard and Soft Costs:</b> Organizational Procurement Policy, Purchase Agreements, Master Service Agreement, etc.		✓
<b>Hard Costs:</b> Detailed information and supporting documentation, such as incumbent earth station serial number references for antennas and filters. Incumbent earth station-related bills of materials/inventory listing/receiving report		✓
<b>Soft Costs:</b> If Soft Costs exceed the 2% threshold of total Hard Costs, a written justification must be provided	✓	
<b>Incumbent Labor Costs:</b> - Certified or approved timesheets, including employee ID number, dates, hours worked, and overtime justification (if applicable). Note: No personally identifiable information is needed - Proof of all paid itemized costs per Employee ID	✓	
<b>Incumbent Labor Costs:</b> - Timekeeping Policy - Proof supporting the claimed employee total costs, if applicable: a) Salaries or hourly wages (i.e., rate scales/pay scales) b) Benefits		✓
<b>Travel Expenses:</b> - Proof of paid airfare, hotel, business meals or per diem, transportation (i.e., taxi, train, rental car and gas, mileage or gas, tolls, etc.)	✓	
<b>Travel expenses:</b> - Travel Policy, if applicable		✓
<b>Pre/Post-Transition Information:</b> Availability objectives such as uptime, station reliability, and sparing	✓	
Justification for costs that are 1) outside the cost range provided in the FCC's Cost Catalog, 2) not included in any cost category provided in the FCC's Cost Catalog, and/or 3) not included in the transition plan	✓	

DOCUMENTATION – ESOs’ and FSLs’ Surrogates	Always	Upon Request
<b>Contractual Privity:</b> Agreement proving existing relationship between Surrogate and an Incumbent ESO	✓	
<b>Hard and Soft Costs:</b> Invoices for work performed and Incumbent ESO’s or FSL’s Acknowledgement	✓	
<b>Hard and Soft Costs:</b> Mapping to the Cost Catalog	✓	
<b>Hard and Soft Costs:</b> Proof of invoice payment, such as bank statement and general ledger detail for batch payments. Payments should include any discounts/rebates, and statements with refunds and/or credits		✓
<b>Hard and Soft Costs:</b> Purchase Agreements, Master Service Agreement, etc.		✓
<b>Hard Costs:</b> Detailed information and supporting documentation, such as incumbent earth station serial number references for antennas and filters. Incumbent earth station-related bills of materials/inventory listing/receiving report		✓
<b>Soft Costs:</b> If Soft Costs exceed the 2% threshold of total Hard Costs, a written justification will need to be provided	✓	
<b>Labor Costs:</b> (if relevant to work performed) - Certified or approved timesheets, including employee ID number, dates, hours worked, and overtime justification (if applicable). Note: No personally identifiable information is needed - Proof of all paid itemized costs per Employee ID	✓	
<b>Labor Costs:</b> - Timekeeping Policy - Proof supporting the claimed employee total costs, if applicable: a) Salaries or hourly wages (i.e., rate scales/pay scales) b) Benefits		✓
<b>Travel Expenses:</b> - Proof of paid airfare, hotel, business meals or per diem, transportation (i.e., taxi, train, rental car and gas, mileage or gas, tolls, etc.)	✓	
<b>Travel expenses:</b> - Travel Policy, if applicable		✓
<b>Pre/Post-Transition Information:</b> Availability objectives such as uptime, station reliability, and sparing		✓
Justification for costs that are 1) outside the cost range provided in the FCC’s Cost Catalog, 2) not included in any cost category provided in the FCC’s Cost Catalog, and/or 3) not included in the relevant SSO’s transition plan	✓	

Space Station Operators (SSOs), SSOs' Surrogates, and Programmers

The following tables describe the documentation that will be required SSOs, their Surrogates, and Programmers. The RPC may request additional information (not listed below) from an SSO, its Surrogate, or a Programmer in particular cases, the need for which will be identified by the RPC and communicated to the SSO, its Surrogate, or the Programmer.

Documentation – SSOs	Always	Upon Request
<b>Hard and Soft Costs:</b> Transition Plans, Transition Plan Amendments, budgets, proof of approved change requests (i.e., engineering), if applicable		✓
<b>Hard and Soft Costs:</b> Mapping to the Cost Catalog	✓	
<b>Hard and Soft Costs:</b> Vendor/third party Invoices and receipts	✓	
<b>Hard and Soft Costs:</b> Proof of invoice payment, such as bank statement and general ledger detail for batch payments. Payments should include any discounts/rebates, and statements with refunds and/or credits	✓	
<b>Hard and Soft Costs:</b> Organizational Procurement Policy, Purchase Agreements, Master Service Agreement, etc.		✓
<b>Hard Costs:</b> Detailed information and supporting documentation, such as incumbent earth station serial number references for antennas, filters and IRDs	✓	
<b>Hard Costs:</b> Incumbent earth station-related bills of materials/inventory listing/receiving report		✓
<b>Soft Costs:</b> If Soft Costs exceed the 2% threshold of total Hard Costs, a written justification must be provided	✓	
<b>Incumbent Labor Costs:</b> - Certified or approved timesheets, including employee ID number, dates, hours worked, and overtime justification (if applicable). Note: No personally identifiable information is needed - Proof of all paid itemized costs per Employee ID	✓	
<b>Incumbent Labor Costs:</b> - Timekeeping Policy - Proof supporting the claimed employee total costs, if applicable: a) Salaries or hourly wages (i.e. rate scales/pay scales) b) Benefits		✓
<b>Travel Expenses:</b> - Proof of paid airfare, hotel, business meals or per diem, transportation (i.e., taxi, train, rental car and gas, mileage or gas, tolls, etc.)	✓	
<b>Travel Expenses:</b> - Travel Policy, if applicable		✓
<b>Pre/Post-Transition Information:</b> Availability objectives such as uptime, station reliability, and sparing - calculations tied to the Service Level Agreements must be provided	✓	
<b>Post-Transition Information:</b> If facilities or equipment are used for purposes beyond the exclusive support of the C-band relocation, description of how costs are apportioned (shared) across these different categories and the rationale supporting this apportionment approach	✓	
Justification for costs that are 1) outside the cost range provided in the FCC's Cost Catalog, 2) not included in any cost category provided in the FCC's Cost Catalog, and/or 3) not included in the SSO's transition plan	✓	

DOCUMENTATION – SSOs’ Surrogates	Always	Upon Request
<b>Contractual Privity:</b> Agreement proving existing relationship between Surrogate and an Incumbent SSO	✓	
<b>Hard and Soft Costs:</b> Budgets, proof of approved change requests (i.e., engineering), if applicable		✓
<b>Hard and Soft Costs:</b> Mapping to the Cost Catalog	✓	
<b>Hard and Soft Costs:</b> Invoices for work performed and Incumbent SSO’s Acknowledgement	✓	
<b>Hard and Soft Costs:</b> Proof of invoice payment, such as bank statement and general ledger detail for batch payments. Payments should include any discounts/rebates, and statements with refunds and/or credits		✓
<b>Hard and Soft Costs:</b> Organizational Procurement Policy, Purchase Agreements, Master Service Agreement, etc.		✓
<b>Hard Costs:</b> Detailed information and supporting documentation, such as incumbent earth station serial number references for antennas, filters and IRDs		✓
<b>Hard Costs:</b> Incumbent earth station-related bills of materials/inventory listing/receiving report		✓
<b>Soft Costs:</b> If Soft Costs exceed the 2% threshold of total Hard Costs, a written justifications will need to be provided	✓	
<b>Labor Costs:</b> - Certified or approved timesheets, including employee ID number, dates, hours worked, and overtime justification (if applicable). Note: No personally identifiable information is needed - Proof of all paid itemized costs per Employee ID		✓
<b>Labor Costs:</b> - Timekeeping Policy - Proof supporting the claimed employee total costs, if applicable: a) Salaries or hourly wages (i.e. rate scales/pay scales) b) Benefits		✓
<b>Travel Expenses:</b> - Proof of paid airfare, hotel, business meals or per diem, transportation (i.e., taxi, train, rental car and gas, mileage or gas, tolls, etc.)	✓	
<b>Travel Expenses:</b> - Travel Policy, if applicable		✓
<b>Post-Transition Information:</b> If facilities or equipment are used for purposes beyond the exclusive support of the C-band relocation, description of how costs are apportioned (shared) and the rationale supporting this apportionment approach	✓	
Justification for costs that are 1) outside the cost range provided in the FCC’s Cost Catalog, 2) not included in any cost category provided in the FCC’s Cost Catalog, and/or 3) not included in the relevant SSO’s transition plan	✓	

DOCUMENTATION – Programmers	Always	Upon Request
<b>Hard and Soft Costs:</b> Mapping to the Cost Catalog	✓	
<b>Hard and Soft Costs:</b> Vendor/third party Invoices and receipts	✓	
<b>Hard and Soft Costs:</b> Proof of invoice payment, such as bank statement and general ledger detail for batch payments. Payments should include any discounts/rebates, and statements with refunds and/or credits	✓	
<b>Hard and Soft Costs:</b> Organizational Procurement Policy, Purchase Agreements, Master Service Agreement, etc.		✓
<b>Hard Costs:</b> Detailed information and supporting documentation, such as incumbent earth station serial number references for antennas, filters and IRDs (if applicable)	✓	
<b>Hard Costs:</b> Hardware-related bills of materials		✓
<b>Soft Costs:</b> If Soft Costs exceed the 2% threshold of total Hard Costs, a written justifications will need to be provided	✓	
<b>Labor Costs:</b> - Certified or approved timesheets, including employee ID number, dates, hours worked, and overtime justification (if applicable). Note: No personally identifiable information is needed - Proof of all paid itemized costs per Employee ID	✓	
<b>Labor Costs:</b> - Timekeeping Policy - Proof supporting the claimed employee total costs, if applicable: a) Salaries or hourly wages (i.e. rate scales/pay scales) b) Benefits	✓	
<b>Travel Expenses:</b> - Proof of paid airfare, hotel, business meals or per diem, transportation (i.e., taxi, train, rental car and gas, mileage or gas, tolls, etc.)	✓	
<b>Travel Expenses:</b> - Travel Policy, if applicable		✓
<b>Post-Transition Information:</b> If facilities or equipment are used for purposes beyond the exclusive support of the C-band relocation, description of how costs are apportioned (shared) and the rationale supporting this apportionment approach	✓	
Justification for costs that are 1) outside the cost range provided in the FCC's Cost Catalog, and/or 2) not included in any cost category provided in the FCC's Cost Catalog	✓	