

FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

April 19, 2001

In Reply Refer to: 2000C1-RSN

Jay Kitchen, President
Personal Communication Industry Association
500 Montgomery Street, Suite 700
Alexandria, VA 22314-1561

Laura Smith, President and CEO
Industrial Telecommunications Association
1110 North Glebe Road, Suite 500
Arlington, VA 22201

Dear Mr. Kitchen and Ms. Smith:

This responds to your March 16, 2001, "Joint Request for Waiver" (request) of Section 1.913(b) of the Commission's Rules, 47 C.F.R. § 1.913(b), to extend the Universal Licensing System (ULS) mandatory deadline for electronically filing Land Mobile Phase I applications requiring frequency coordination from March 20, 2001, until September 20, 2001. On March 27, 2001, we granted a short extension of the mandatory deadline, from March 20, 2001, until April 20, 2001, so that the Bureau could fully consider the issues set forth in your request without causing undue disruption to the application filing process. By this letter, we grant an additional short extension of the deadline from April 20, 2001, until May 22, 2001, so that the Bureau may revise its procedures and make changes to ULS in response to your concerns.

As we noted in our prior letter, in your request you claim that two technical issues associated with the implementation of ULS necessitate a waiver. First, you state that problems with "Taxpayer Identification Number" (TIN) mismatches will result in an increased number of returned applications. You point out that an increase in returns is a drain on coordinator resources and has the potential to interfere with coordinator responsibilities. Second, you ask that we establish a "SuperUser Account" for frequency coordinators. You claim that, without a SuperUser Account capability, ULS only provides a partial benefit to the application process.

With respect to the TIN mismatch issue you raised in your request, the Bureau will revise its procedure for verifying that TINs, applicant names, and station call signs match on applications submitted through the ULS Electronic Batch Filing (EBF) process. Specifically, applications that appear to have errors in this respect will be reviewed by FCC staff and returned or dismissed only in cases where there is a clear deficiency. This revised procedure will be effective immediately.

With respect to the "SuperUser Account" capability, the Bureau is making enhancements to ULS in order to address what we believe to be the core issue at hand. Specifically, we believe the core issue is that each application submitted via ULS must be reviewed to ensure that frequency coordination, if required, took place. Further, the Bureau must be able to determine whether the frequency coordination is valid. The Commission already has the capability to determine, with respect to applications filed manually and via EBF, which frequency coordinator submitted the applications. We have already begun enhancing the ULS interactive filing software in order to add the capability for the Bureau to determine, with respect to applications filed interactively, whether a frequency coordinator or an applicant submitted the applications. Further, we are enhancing ULS Application Search to permit frequency coordinators to search for

applications submitted on a particular day or during a particular time period based on which coordinator filed the application.

On a related matter, the frequency coordinators have collectively agreed to develop "SuperUser Password" processing specifications and provided them to the Bureau so that we can implement security and password protection that is agreeable to all. To date, however, we have not received that information. Once we receive it, implementation of this capability will be a high priority. Meanwhile we have implemented procedures to meet security needs while the "super user password" requirements are being developed.

The issues raised in your request require that the Bureau change its TIN review procedures and make enhancements to the ULS software. In the meantime, strict application of 1.913(b) in this instance could result in dismissal of applications filed by applicants through PCIA and ITA in good faith. Therefore, we find good cause to temporarily waive the rule in this instance. Accordingly, Section 1.913 is waived to permit ITA and PCIA to continue filing applications involving the Land Mobile Phase I radio services manually until May 21, 2001. Bureau staff will be in contact with you shortly in order to discuss the specific nature of the revised procedures and the software enhancements.

In this connection, we note that this waiver does not extend the mandatory electronic filing deadline for other frequency coordinators or for Land Mobile Phase I applicants. Further, this waiver does not extend the deadline for mandatory use of FCC Forms 601 and 603 for any party.

This action is taken pursuant to the authority delegated in sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

Sincerely,

Roger S. Noel
Chief, Licensing and Technical Analysis Branch
Commercial Wireless Division
Wireless Telecommunications Bureau