



# PUBLIC NOTICE

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## **POLICY PROVIDING ONE EXTRA BUSINESS DAY IN WHICH TO FILE CERTAIN WIRELESS TELECOMMUNICATIONS APPLICATIONS IS NO LONGER IN EFFECT**

We hereby clarify that the Commission's former policy of permitting applicants one extra business day in which to file applications is no longer in effect for wireless telecommunications applications. By way of background, prior to 1990, feeable common carrier applications were filed in Washington, D.C. In 1990, however, the filing location of such applications was changed from Washington, D.C. to a lock-box bank in Pittsburgh, Pennsylvania. See In the Matter of Establishment of a Fee Collection Program to Implement the Provisions of the Omnibus Reconciliation Act of 1989, Gen. Docket 86-285, *Memorandum Opinion and Order*, 5 FCC Rcd 3558 (1990). At that time, the Commission addressed concerns that application submissions to the new Pittsburgh location could result in transportation delays causing untimely filings. The Commission, in a public notice, responded to this concern by allowing time critical (*i.e.*, applications subject to a cut-off date or filing window), feeable broadcast and common carrier applications to be deemed timely filed if submitted to the new filing location on the next business day after the filing deadline date.<sup>1</sup> See Public Notice No. 3095, *Filing of Time Critical, Feeable Applications*, 67 Rad. Reg. 2d (P&F) 1127 (1990).

On October 21, 1998, the Commission amended its Rules to define the "receipt date" of wireless telecommunications applications as "[t]he date an electronic or paper application is received at the appropriate location at the Commission or Mellon Bank." See Biennial Regulatory Review — Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, WT Docket No. 98-20, *Report and Order*, 13 FCC Rcd 21027 (1998) (codified at 47 C.F.R. § 1.907). The effective date of this amendment was February 12, 1999. As a result, the filing date for applications for wireless telecommunications services is governed by Section 1.907 of the Commission's Rules. Thus, all wireless telecommunications applications submitted on or after February 12, 1999, will be deemed filed on the date received by the Commission, and time critical applications received at Mellon Bank after the filing deadline date will be deemed untimely.

By the Division Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.  
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<sup>1</sup> The policy applied to time critical, feeable broadcast and common carrier applications (which include Broadcast Auxiliary, Common Carrier Digital Electronic Messaging Service, Common Carrier Fixed Point-to-Point Microwave Service and Local Television Transmission Service applications formerly filed in Washington, D.C., and subsequently filed at the Mellon Bank in Pittsburgh, Pennsylvania). Notably, this policy never applied to competitive bidding applications or to long-form applications for auctionable services.