

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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**MASS MEDIA BUREAU PROVIDES FURTHER INFORMATION
REGARDING GRANTS OF ITFS AND MDS TWO-WAY APPLICATIONS;
CERTAIN ITFS MAJOR MODIFICATION APPLICATIONS;
AND THE ROLLING ONE-DAY FILING WINDOW PROCEDURE**

By this *Public Notice*, the Mass Media Bureau provides further information regarding grants of Instructional Television Fixed Service (ITFS) and Multipoint Distribution Service (MDS) two-way high-power signal booster stations, response station hubs and I channel licenses (FCC Form 331), and ITFS major modification applications (FCC Form 330) filed during the August 14 to 18, 2000 initial filing window. *See Public Notice*, 15 FCC Rcd 11466 (DA 00-1481, rel. June 30, 2000). This *Public Notice* also provides information regarding the transition to the rolling one-day filing window procedure adopted by the Commission in MM Docket No. 97-217, *Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Fixed Two-Way Transmissions*, 13 FCC Rcd 19112 (1998), *recon.*, 14 FCC Rcd 12764 (1999), *further recon.*, 15 FCC Rcd 14566 (2000).

Grants of applications filed during the August 14 to 18, 2000 filing window

Applications filed during the initial window appeared on public notice as tendered for filing on November 29, 2000. *Public Notice*, Report No. 148 (rel. Nov. 29, 2000). Following a sixty-day amendment period, the Bureau issued a public notice on February 1, 2001, announcing those applications that were accepted for filing. *Public Notice*, Report No. 164 (rel. Feb. 1, 2001). Petitions to deny such applications must be filed no later than Monday, April 2, 2001, the sixtieth (60th) day after the date of the accepted for filing public notice. *See* 47 C.F.R. §§ 21.27, 21.909, 21.913, 74.911, 74.939 and 74.985. The Bureau expects to enter any said petitions into the Broadband Licensing System (BLS) database, grant applications that are not subject to a petition to deny or other requirement such as international border coordinations, and issue authorizations by the end of the first week of April 2001. A public notice listing the grants of ITFS and MDS applications filed during the August 14 to 18, 2000 window will be released the week of April 9, 2001.

Rolling one-day filing window

On April 16, 2001, the Bureau will begin the transition to the rolling one-day filing window process for ITFS and MDS licensees filing FCC Form 331 applications, and for ITFS licensees filing FCC Form 330 applications proposing major modification of their main station for two-way or non-two-

way use. Because it is likely that a large number of applications for new or modified response station hubs, booster stations and I channel licenses, and ITFS modifications to main stations will be filed on the first day, we will allow licensees to file applications throughout the week commencing April 16, 2001. This April 16th filing window will last five days, and all applications filed during that week will be deemed filed as of Friday, April 20, 2001. *See* 47 C.F.R. §§ 1.3, 21.27 and 74.911. We encourage applicants to file early in the week. All subsequent windows will last one day. For example, any FCC Form 331 or Form 330 major modification application filed after midnight on April 20, 2001, will receive an Application Reference Number (ARN) that reflects a filing date of the next business day, Monday, April 23, 2001. Thereafter, the rolling one-day filing window process will continue in effect and all FCC Form 331 and Form 330 applications will be processed in accordance with the provisions of 47 C.F.R. §§ 21.27, 21.909, 21.913, 74.911, 74.939 and 74.985. Under the rolling one-day filing window, the Commission will not treat applications filed on the same day as mutually exclusive and it will be the responsibility of the parties to resolve any conflicts.

Applicants are required to file FCC Form 331 electronically. That form, along with information regarding payment of the filing fee using FCC Form 159 and a link to the BLS Electronic Filing User's Guide, can be accessed electronically at: <http://haifoss.fcc.gov/prod/mmb/forms/index.htm>. We also alert licensees filing FCC Form 331 that in responding to Section VI, Question 1.b., the height should be the overall (highest) height above ground of the antenna structure including all appurtenances (antenna, dishes, lightning rods, obstruction lighting, etc.). Although ITFS licensees filing FCC Form 330 may file either on paper or electronically, we encourage all applicants to file electronically. For technical assistance in using the BLS or to report a technical problem with the system, please contact the BLS Help Desk at (202) 418-0121. The public can access the BLS via the Internet from the Mass Media Bureau's Home Page at: <http://www.fcc.gov/mmb> to search and display MDS, ITFS and Commercial ITFS applications and station information. Users may also print applications filed in electronic format.

For further information contact Melvin Collins at (202) 418-1622 or Nazifa Naim at 418-7059.

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