



PUBLIC NOTICE

Federal Communications Commis
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 05-2406

Released: September 1, 2005

WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES EXTENSION OF FILING AND REGULATORY DEADLINES FOR WIRELESS LICENSEES IN AREAS IMPACTED BY HURRICANE KATRINA

Due to the devastation caused by Hurricane Katrina, President Bush issued a major disaster declaration for Louisiana, Mississippi, and Alabama ("affected states") on August 29, 2005.¹ Pursuant to our authority to waive rules for good cause² and to alleviate any additional burden that may be caused by our filing requirements and regulatory deadlines, we hereby extend certain deadlines occurring between August 29, 2005 and October 30, 2005, until October 31, 2005 for affected licensees and applicants in these states. In this context, "affected" licensees and applicants include those licensees and applicants that operate facilities, or, in a significant manner essential to the business operation, rely on personnel, records, or financial institutions located in these states to provide services or to conduct substantial business activities with the Commission.

(1) We extend until October 31, 2005, deadlines associated with Wireless Radio Service³ applications, notifications, and reports pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 74 (excluding Subparts A, G, and L), 80, 87, 90, 95, 97, or 101 of the Commission's rules occurring between August 29, 2005 and October 30, 2005, including, but not limited to, filings regarding license modifications, license renewals, and notifications of construction. Licensees filing in accordance with this extension must include with their filing a certification upon the penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane.

(2) We also extend until October 31, 2005, all construction deadlines and other regulatory deadlines applicable to wireless radio services pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 74 (excluding Subparts A, G, and L), 80, 87, 90, 95, 97, or 101 of the Commission's rules occurring from August 29, 2005 to October 30, 2005.

(3) To the extent necessary, effective retroactively beginning August 29, 2005, we hereby waive the post-auction filing and payment deadlines contained in Sections 1.2107(b)-(f), 1.2108(b)-(c), and 1.2109(a)-(b) of the Commission's rules for affected applicants in Auction No. 60 and Auction No. 61 and extend all

¹ See <http://www.fema.gov/news/disasters.fema> (August 31, 2005). We recognize that President Bush also issued a Major Disaster Declaration for the state of Florida on August 28, 2005. We do not extend the relief granted in this public notice to entities in the state of Florida, because Florida was apparently not subject to the same level of destruction as were parts of Louisiana, Mississippi, and Alabama.

² 47 C.F.R. § 1.3.

³ *Wireless Radio Services*. All radio services authorized in Parts 13, 20, 22, 24, 27, 74, 80, 87, 90, 95, 97 and 101 of this chapter, whether commercial or private in nature.

filing and payment deadlines to October 31, 2005. In addition, to the extent necessary, effective retroactively beginning August 29, 2005, we hereby waive the post-auction payment deadlines contained in Sections 1.2110(g)(4)(ii) and 1.2110(g)(4)(iv) of the Commission's rules for affected licensees and extend those payment deadlines to October 31, 2005. We also hereby waive the accrual of any late fees pursuant to 1.2110(g)(4)(i) and 1.2110(g)(4)(ii) during the period from August 29, 2005 until October 31, 2005. Affected applicants and licensees must include a certification upon the penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane. Certifications must accompany the subsequent filing or payment for which the deadline has been waived. For all others, i.e., those not affected by the hurricane, the Part 1, Subpart Q rules remain in effect, and the Commission's rules concerning late filings, late payments or non-payments will be enforced. For questions related to Part 1, Subpart Q please contact Rita Cookmeyer at (202) 418-0434; (202) 418-1159 (fax); Rita.Cookmeyer@fcc.gov.

In addition to the relief granted above, Section 1.931(a) of the Commission's rules is hereby waived on our own motion through October 30, 2005, to allow the filing of STA requests for Wireless Radio Services in manners other than electronically on FCC Form 601.⁴ Furthermore, because the President issued a major disaster declaration for Louisiana, Mississippi, and Alabama, all STA filings related to Hurricane Katrina will be considered "emergency filings" pursuant to Section 1.915(b) of the Commission's rules⁵ and will be processed as expeditiously as possible. Affected licensees must include a certification that the STA request is in response to the hurricane. To file STA requests via email or fax, or to receive an oral STA, licensees may contact the following personnel:

- Parts 22, 24, and 27 (excluding the Broadband Radio Service and Educational Broadband Service): James Gumbert (202) 418-1337; fax (202) 418-1412; James.Gumbert@fcc.gov.
- Parts 27 (Broadband Radio Service and Educational Broadband Service only), 74, and 101: Mary Shultz (717) 338-2656; fax (717) 338-2696; Mary.Shultz@fcc.gov.
- Parts 87, 90, 95, and 97: Tracy Simmons (717) 338-2657; fax (717) 338-2696; Tracy.Simmons@fcc.gov.

Finally, licensees are reminded that Sections 22.307, 90.407, and 101.205 of the Commission's rules address operation during periods of emergency for licensees authorized under these rule parts.⁶ These rules allow licensees to provide emergency communications during a period of emergency in a manner or configuration not specified in the station authorization or in the rules governing such stations.

⁴ 47 C.F.R. § 1.931(a).

⁵ 47 C.F.R. § 1.915(b).

⁶ 47 C.F.R. §§ 22.307, 90.407, 101.205.