



PUBLIC NOTICE

Federal Communications Commission
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December 16, 2005

**OFFICE OF ENGINEERING AND TECHNOLOGY SEEKS COMMENT ON
NUCLEAR ENERGY INSTITUTE AND UNITED TELCOM COUNCIL
REQUEST FOR WAIVER OF SECTION 74.832(h)**

ET Docket No. 05-345

Comment Date: January 17, 2006

Reply Comment Date: January 30, 2006

On July 20, 2005, Nuclear Energy Institute and United Telcom Council (NEI & UTC) filed a request for waiver of the eligibility rules for Low Power Auxiliary Stations (Part 74, Subpart H) in order to permit the operators of nuclear energy power plants to continue to operate certain wireless headsets and intercom devices certified and manufactured for use pursuant to Part 74 of the rules at nuclear power plant sites.

The subject equipment is currently used by nuclear power plants pursuant to special temporary authority (WC9XCR) for limited periods of time during refueling maintenance operations in order to minimize the risk of accident and to reduce workers' exposure to radiation. On behalf of these power plants, NEI and UTC seek a waiver of the Commission's rules to permit them to continue to utilize this equipment for a period of five years while they pursue the implementation of other telecommunications options.

The FCC's Office of Engineering and Technology (OET) seeks comment on this waiver request in order to develop a complete record on the issues presented by the request. For *ex parte* purposes, this proceeding will be treated as a "permit-but-disclose" proceeding, in accordance with Section 1.1200(a) of the Commission's rules, and is subject to the requirements under Section 1.1206(b) of the rules.

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **January 17, 2006** and reply comments on or before **January 30, 2006**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceeding, 63 FR 24121, May 1, 1998.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must

be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and reference **ET Docket No. 05-345**. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail or Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554.

All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The full text of the waiver request is available for inspection and copying during normal business hours in Room CY-A257, 445 12th Street, SW, Washington, DC., and may also be purchased from the Commission's duplication contractor, Best Copy and Printing, Inc., (800) 378-3160.

By the Acting Chief, Office of Engineering and Technology.
Office of Engineering and Technology contact: Bruce Romano (202) 418-2124