



PUBLIC NOTICE

Federal Communications Commission
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DA 09-2273

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MEDIA BUREAU ACTION

PETITION SEEKING DECLARATORY RULING THAT THE HAZELTON, PENNSYLVANIA ORDINANCE GOVERNING SATELLITE ANTENNA INSTALLATION IS PREEMPTED BY THE COMMISSION'S OVER-THE-AIR RECEPTION DEVICES RULE

RESPONSES DUE: November 24, 2009

REPLIES DUE: December 11, 2009

The Satellite Broadcasting and Communications Association of America, Inc., Antenna Star Satellites, Inc., and Johnson TV & Satellite ("Petitioners") have filed a Petition for Declaratory Ruling asking the Commission to determine whether satellite antenna restrictions of Hazelton, Pennsylvania ("City") are preempted by Section 1.4000 of the Commission's rules (Over-the-Air Reception Devices Rule). The Petition alleges that the City's ordinance, including the requirements that antenna users obtain a \$10 permit for installation of a satellite antenna, provide documentation of an antenna manufacturer's installation procedures, and remove an existing antenna when it is replaced by another, violate the Commission's Rule. In addition, the Petitioners challenge the City's requirement that any professional satellite antenna installer have a valid construction business license. This Public Notice announces the pleading cycle for this Petition during which responses and replies may be filed.

For purposes of our ex parte rules, this proceeding will be considered as non-restricted pursuant to Section 1.1206 of the Commission's rules ("Permit-but-disclose proceeding").

Parties may file responses to the Petition on or before **November 24, 2009** and replies on or before **December 11, 2009**. Please place the case identifier, **CSR- 8232-O**, on all filings.

An original and two copies of all filings should be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Suite TW-A325, Washington, D.C. 20554. Attn: Media Bureau, Policy Division. One copy of responses, replies, or other communications must be served on all participants in the case.

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 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 a.m. to 7 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 and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Copies of the petitions and other filings in this proceeding will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, telephone (202) 418-0270.

Copies of filed documents may be obtained from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300 or (800) 378-3160, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com; or via their website at FCC@BCPIWEB.COM.

Media Contact: Janice Wise (202) 418-8165.

Media Bureau Contact: Rosalee Chiara (202) 418-0754

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