



PUBLIC NOTICE

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

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

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Commission Announces that Certain Non-Docketed Filings May Be Submitted Online

The Federal Communications Commission today announces the availability of an online-filing module for several types of filings that previously could be filed only on paper. The Commission has recently released two orders directing that certain types of filings *may* be submitted through a “Submit a Non-Docketed Filing” module of its Electronic Comment Filing System (ECFS):

- formal complaints submitted pursuant to section 208 of the Communications Act¹
- pole attachment complaints submitted pursuant to section 224²
- network change notifications by incumbent local exchange carriers³
- domestic section 214 transfer-of-control applications⁴
- domestic section 214 discontinuance applications⁵

Online filing of the above-listed types of documents, currently voluntary, will become *mandatory* sometime in January 2015.⁶

¹ See *Amendment of Certain of the Commission’s Part 1 Rules of Practice and Procedure Relating to the Filing of Formal Complaints Under Section 208 of the Communications Act and Pole Attachment Complaints Under Section 224 of the Communications Act*, Order, FCC 14-179 (rel. Nov. 12, 2014), ¶¶ 16, 20 (*EB Complaints Online Filing Order*) (allowing voluntary online filing to begin ten days after release).

² See *id.*

³ See *Amendment of Certain of the Commission’s Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization*, Order, FCC 14-183 (rel. Nov. 26, 2014), ¶¶ 14-19 (*Wireline Online Filing Order*).

⁴ See *id.* ¶¶ 5-9. The application fee for a transfer-of-control application may be paid through the Commission’s Fee Filer system. See *id.* ¶ 8 & n.18.

⁵ See *id.* ¶¶ 10-13.

⁶ Online filing for section 208 complaints and section 224 complaints, as well as for subsequent pleadings in complaint proceedings, becomes mandatory thirty days after *Federal Register* publication of a summary of the *EB Complaints Online Filing Order*. The Enforcement Bureau will issue a public notice

Additionally, other types of non-docketed filings for which no online-filing capability was previously available *may* be submitted using the same module, though paper filings will still be accepted:

- petitions for waiver of rules in Part 15⁷
- petitions for waiver of rules in Parts 32, 43, 64, 65, 69 for which a fee is required⁸
- miscellaneous petitions for waiver⁹
- petitions for declaratory ruling¹⁰
- international high frequency applications¹¹
- section 325(c) applications for permit to deliver programs to foreign stations¹²

To the extent any of these filings appropriately belong in an already-open docket, filers must submit them to the appropriate docket as they would have done before. In general, Commission staff will open a new docket where appropriate after review of an initial non-docketed filing; subsequent filings in response should be submitted in that docket, not via “Submit a Non-Docketed Filing.” The “Submit a Filing” page of ECFS remains available for filing whenever a docket number has been announced.¹³

To access the new module for submitting these non-docketed filings, go to the ECFS Home Page at <http://apps.fcc.gov/ecfs> and choose “Submit a Non-Docketed Filing.” From that page, select the type of filing from the drop-down menu. After submitting the filing, the user will see a

when online filing becomes mandatory. *See Enforcement Bureau Announces Effective Date for Voluntary Electronic Filing in Section 208 and Section 224 Complaint Proceedings*, Public Notice, DA 14-1701 (Enf. Bur. Nov. 24, 2014). Online filing for network change notifications, section 214 domestic transfer-of-control applications, and section 214 domestic discontinuance applications becomes mandatory thirty days after *Federal Register* publication of a summary of the *Wireline Online Filing Order*. The Wireline Competition Bureau will issue a public notice when online filing becomes mandatory.

⁷ Petitions for waiver of the rules in Part 15 are governed by the Commission’s general waiver rule, 47 C.F.R. § 1.3, and are reviewed by the Office of Engineering and Technology (OET).

⁸ Petitions for waiver of the rules in Parts 32, 43, 64, 65, and 69 are governed by the Commission’s general waiver rule, 47 C.F.R. § 1.3, though a processing fee is required by 47 C.F.R. § 1.1105. These are reviewed by the Wireline Competition Bureau (WCB). The filer may submit the required fee using the Commission’s Fee Filer system, which is available at <https://apps.fcc.gov/FeeFiler/>.

⁹ *See* 47 C.F.R. § 1.3.

¹⁰ *See* 47 C.F.R. § 1.2. Petitions for declaratory ruling seeking a finding pursuant to section 310(b) that the public interest would be served by permitting foreign ownership of a wireless licensee should continue to be filed using the Commission’s International Bureau Filing System. *See* 47 C.F.R. § 1.990.

¹¹ *See* 47 C.F.R. § 73.702. These are reviewed by the International Bureau.

¹² *See* 47 C.F.R. § 73.3545. These are reviewed by the International Bureau.

¹³ The form to submit a filing to a proceeding with a docket number or RM number is at <http://apps.fcc.gov/ecfs/upload/begin?filedFrom=E>.

confirmation page indicating that the submission has been received and providing a confirmation number. The filing will be available to Commission staff and to the public, usually within one business day, as filings in the following named inboxes:

“Proceeding Number”	“Subject”
INBOX-1.1105	Petition for Waiver of Parts 32, 43, 64, 65, 69 (fee required)
INBOX-1.1408	Section 224 Pole Attachment Complaint: Restricted Proceedings
INBOX-1.2	Petition for Declaratory Ruling
INBOX-1.3	Petition for Waiver (miscellaneous)
INBOX-1.735	Section 208 Complaint: Restricted Proceedings
INBOX-51.329	Section 251 Network Change Notification
INBOX-63.04	Section 214 Domestic Transfer of Control Application
INBOX-63.71	Section 214 Domestic Discontinuance Application
INBOX-73.3545	Section 325(c) Application for Permit to Deliver Programs to Foreign Stations
INBOX-73.702	International High Frequency Application
INBOX-PART15	Petition for Waiver of Part 15

Any fees that are required to accompany such filings (such as application fees for domestic section 214 transfer-of-control applications) may be paid using the Commission’s online Fee Filer app at <https://apps.fcc.gov/FeeFiler>.

Filings accompanied by a request for confidential treatment pursuant to section 0.459 of the Commission’s rules must be submitted on paper to the Office of the Secretary.¹⁴ Redacted versions may be submitted to ECFS. Any documents submitted to ECFS will become publicly available.

The Commission expects to continue to expand capabilities for online filing and intends to work toward the goal of providing such capabilities for every type of filing that the public might submit.¹⁵

For further information, please contact ECFS help at ecfshelp@fcc.gov or 202-418-0193.

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¹⁴ 47 C.F.R. § 0.459; see *EB Complaints Online Filing Order*, Appendix at 10, 12 (rules 47 C.F.R. §§ 1.731(a)(3), 1.735(b), 1.1408(a), (c)); *Wireline Online Filing Order* ¶ 21.

¹⁵ *Wireline Online Filing Order* ¶ 3.