



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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DA 15-133  
January 29, 2015

**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON BIRD  
TECHNOLOGIES' REQUEST FOR WAIVER OF SECTION 90.219 REGARDING SIGNAL  
BOOSTER DESIGNATION**

**WT Docket 10-4**

**Comments Due: February 13, 2015**

**Reply Comments Due: February 23, 2015**

By this Public Notice, we invite interested parties to file comments on the January 9, 2015, Petition for Waiver filed by Bird Technologies (Bird) seeking waiver of Section 90.219(e)(5) of the Commission's rules.<sup>1</sup> The Commission's Part 90 rules distinguish between Class A (narrowband) signal boosters and Class B (wideband) signal boosters.<sup>2</sup> Section 90.219(e)(5) requires that a Part 90 signal booster must be labeled to indicate whether it is a Class A or Class B device and include an advisory stating that the user must be an FCC licensee or have the express consent of a licensee to operate the device and that the user must register Class B signal boosters.<sup>3</sup> Bird has developed a signal booster that the user can configure to operate as either a Class A or Class B device and seeks a waiver of Section 90.219(e)(5) so that it can receive an equipment authorization designation under both classes, as well as market and label the device accordingly.<sup>4</sup>

## **Procedural Matters**

A copy of the waiver request can be found in the docket file. 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 and reply comments on or before the dates indicated above. All such filings should refer to WT Docket No 10-4. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

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<sup>1</sup> Petition for Waiver of Bird Technologies (Bird Waiver Petition), filed Jan. 9, 2015. See 47 C.F.R. § 90.219(e).

<sup>2</sup> See 47 C.F.R. § 90.219(a). Class B signal boosters may be deployed at fixed locations only and must be registered in the FCC signal booster database online at [www.fcc.gov/signal-boosters/registration](http://www.fcc.gov/signal-boosters/registration). See *id.* at § 90.219(a)(4) and (5).

<sup>3</sup> See *id.* at § 90.219(e).

<sup>4</sup> See Bird Waiver Petition at 3.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes 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 must be addressed to 445 12<sup>th</sup> 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Moslem Sawez, by e-mail to [moslem.sawez@fcc.gov](mailto:moslem.sawez@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Documents are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

For further information, contact Moslem Sawez of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-8211 or via e-mail at [moslem.sawez@fcc.gov](mailto:moslem.sawez@fcc.gov).

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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