



# PUBLIC NOTICE

**Federal Communications Commission**  
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**Washington, D.C. 20554**

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DA 15-431  
April 10, 2015

**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON AT&T REQUEST  
FOR WAIVER TO PERMIT POWER SPECTRAL DENSITY MODEL FOR 800 MHz  
CELLULAR OPERATIONS IN FOUR MISSOURI MARKETS**

**WT Docket No. 15-86**

**Comments Due: April 30, 2015**

**Reply Comments Due: May 11, 2015**

On April 1, 2015, AT&T Services, Inc., on behalf of AT&T, Inc. and its subsidiaries (“AT&T”), filed a request for a limited waiver of Section 22.913 of the Commission’s rules<sup>1</sup> to permit the use of Power Spectral Density (“PSD”) measurements in complying with the Commission’s radiated power limits for certain Cellular Radiotelephone (“Cellular”) Service operations in Missouri,<sup>2</sup> pending the outcome of the ongoing rulemaking proceeding to modify the rule.<sup>3</sup> By this Public Notice, we seek comment on the Missouri Waiver Request, particularly with respect to any potential adverse impact on public safety operations in the adjacent bands and neighboring Cellular licensees to the specified Missouri Cellular Market Areas (“CMAs”), which are as follows: CMA 505-A (License KNKN376); CMA 513-A (License KNKN508); CMA 504-A (License KNKN553); and CMA 515-B (License KNKN825).<sup>4</sup>

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<sup>1</sup> 47 C.F.R. § 22.913.

<sup>2</sup> AT&T Services, Inc., Petition for Waiver For Licenses in Missouri KNKN376, KNKN508, KNKN553, and KNKN825 (filed Apr. 1, 2015, and corrected April 9, 2015) (“Missouri Waiver Request”). A technical study, dated Nov. 19, 2014, is attached to the Missouri Waiver Request as Appendix B. On April 9, 2015, AT&T filed an amended version of the Missouri Waiver Request to correct typographical errors in the filing submitted April 1, 2015. To clarify, this Public Notice seeks comment on the corrected April 9, 2015 Missouri Waiver Request, which will be placed in the record in this docket with AT&T’s accompanying transmittal letter dated April 9, 2015 from Robert Vitanza to Marlene H. Dortch, Secretary, Federal Communications Commission.

<sup>3</sup> See Amendment of Parts 1 and 22 of the Commission’s Rules with Regard to the Cellular Service, Including Changes in Licensing of Unserved Area (other captions omitted), *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 12-40, RM Nos. 11510 and 11660, 29 FCC Rcd 14100 (2014).

<sup>4</sup> AT&T provides a list of the main counties comprising the Cellular Geographic Service Area (“CGSA”) for each of these four licenses, *see* Missouri Waiver Request, Appendix A, but states that the waiver “should apply to all base stations providing service in the [CGSA] for each license, including minor extensions into CMAs and counties adjacent to those listed . . .,” *see id.* n.24.

AT&T specifically proposes a PSD limit of 250 watts/MHz in non-rural areas and 500 watts/MHz in rural areas, and includes a study that purports to show that implementing PSD-based power limits in the Cellular Service would not cause harmful interference to public safety deployments.<sup>5</sup>

## Procedural Matters

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 on the first page of this document. 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).

- 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).

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>6</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation

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<sup>5</sup> See Missouri Waiver Request at 6-7 (citing to its technical study provided at Appendix B).

<sup>6</sup> See 47 C.F.R. §§ 1.1200(a), 1.1206.

consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).

In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Ms. Becky Schwartz of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-7178 or via e-mail at [becky.schwartz@fcc.gov](mailto:becky.schwartz@fcc.gov).

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

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