



PUBLIC NOTICE

Federal Communications Commission
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DA 16-1152
October 6, 2016

**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR
WAIVER OF ACCELERATED FINAL CONSTRUCTION DEADLINE FOR THREE 700 MHZ
LICENSES IN MONTANA**

WT Docket No. 16-319

Comments Due: October 26, 2016
Reply Comments Due: November 7, 2016

On October 5, 2016, Bresnan Communications, LLC (Bresnan)¹ filed applications on behalf of itself and T-Mobile License LLC (T-Mobile)² seeking waiver of Section 27.14(g)(1) of the Commission's rules to extend the accelerated final construction deadline for certain 700 MHz licenses.³ Specifically, Bresnan holds three 700 MHz licenses,⁴ each with an interim construction deadline requiring it to provide coverage to 35 percent of the geographic area of the licenses by December 13, 2016, and a final construction deadline requiring it to provide coverage to 70 percent of the geographic area of the licenses by June 13, 2019.⁵ In the event it fails to meet the interim construction deadline, Bresnan would be subject to an accelerated final construction deadline of June 13, 2017 and therefore seeks a waiver to extend the final deadline until at least December 13, 2018.⁶

By this Public Notice, we seek comment on Bresnan's Waiver Request.

Procedural Matters

¹ Bresnan is a wholly owned subsidiary of Charter Communications, Inc.

² Bresnan Communications, LLC Request for Waiver (Bresnan Waiver Request), filed October 5, 2016. The requested relief would apply to three 700 MHz licenses that Bresnan has sought Commission approval to assign to T-Mobile. *See* Bresnan Communications, LLC Assignment Application, filed September 27, 2016, Universal Licensing System (ULS) File No. 0007470149.

³ 47 CFR § 27.14(g)(1).

⁴ The call signs for the licenses and the respective ULS File Nos. for the Waiver Requests are WQJQ805 (File No. 0007491235), WQJQ806 (File No. 0007491238), and WQJQ807 (File No. 0007491243).

⁵ 47 CFR § 27.14(g); *see also Promoting Interoperability in the 700 MHz Commercial Spectrum*, Report and Order and Order of Proposed Modification, 28 FCC Rcd 15122, 15151-52, para. 65 (2013) (*Interoperability Report and Order*) (extending the interim construction deadline for Lower 700 MHz A and B Block licenses).

⁶ Bresnan Waiver Request at 2.

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 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 12th 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 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).

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁷ 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 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).

⁷ See 47 CFR §§ 1.1200(a), 1.1206.

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. Anna Gentry of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-7769 or via e-mail at anna.gentry@fcc.gov.

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

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