

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Dismissal of Certain PSHSB Proceedings) PS Docket No. 14-246

ORDER

Adopted: May 4, 2017

Released: May 4, 2017

By the Acting Chief, Public Safety and Homeland Security Bureau:

I. INTRODUCTION

1. By this Order, the Public Safety and Homeland Security Bureau (PSHSB) dismisses the petitions and other requests listed in the Attachment hereto. These petitions and other requests were also listed in the Attachment to the Dismissal Public Notice, released on December 5, 2014. Dismissal of these petitions and other requests furthers the Commission’s organizational and administrative goals by increasing the efficiency of its decision-making, reducing backlog, and bringing administrative finality to filings that were abandoned, that are no longer of any apparent interest to the filers, or for which no further action is required or contemplated.

2. Upon publication of this Order in the Federal Register, the Commission’s Electronic Comment Filing System (ECFS) will show that the petitions and other requests listed in the Attachment are dismissed. The record of the dismissed petitions and other requests will remain part of the Commission’s official records, and the related pleadings, orders, and other documents will continue to be accessible to the public.

II. BACKGROUND

3. In the Dismissal Public Notice, PSHSB solicited comment on whether certain long-pending petitions and requests identified in the Attachment should be dismissed as dormant. Commission rules delegate authority to the Chief, PSHSB, to “act[] on requests for interpretation or waiver of rules,” and to “act[] for the Commission under delegated authority, in all matters pertaining to the licensing and regulation of public safety... including ancillary operations related to the provision or use of such

1 Public Safety and Homeland Security Bureau Seeks Comment on the Dismissal of Certain Proceedings as Dormant, PS Docket No. 14-246, Public Notice, 29 FCC Rcd 14272 (PSHSB 2014) (Dismissal Public Notice); 79 FR 75553 (Dec. 18, 2014) (Dismissal Public Notice Federal Register Summary).

2 Cf. Amendment of Certain of Commission’s Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization, Report and Order, 26 FCC Rcd 1594, 1604 (2011) (citing similar organizational and administrative goals as basis for directing Consumer and Governmental Affairs Bureau (CGB) to identify and terminate, as appropriate and after seeking public comment, Commission dockets in which no further action is required or contemplated and dockets in which no pleadings or other documents have been filed for several years). Just as CGB’s efforts with respect to dormant dockets have furthered the Commission’s organizational and administrative goals – see, e.g., Termination of Certain Proceedings as Dormant, Order, 31 FCC Rcd 7584 (CGB 2016) (terminating certain inactive open dockets) – PSHSB’s action today yields similar results with respect to inactive filings pending before the Bureau.

3 47 CFR § 0.191(e). See also 47 CFR § 0.392 (delegating the functions listed in Section 0.191 to PSHSB).

services.”⁴ Pursuant to this authority, PSHSB stated in the *Dismissal Public Notice* that it would determine whether the long-pending filings listed in the Attachment are candidates for dismissal because the items either have been abandoned, are no longer of any apparent interest to the filing party, or because no further action is required or contemplated.⁵ Interested parties were given the opportunity to file comments by January 17, 2015, and reply comments by February 2, 2015.⁶ No comments or reply comments were filed.

III. DISCUSSION

4. For several years, nothing has been filed in any of the relevant dockets with respect to the petitions and other requests at issue. Accordingly, to increase the efficiency of its decision-making, reduce backlog, and bring administrative finality to stale filings, we conclude that dismissal of the petitions and other requests listed in the Attachment to this Order is warranted. We hereby dismiss the petitions and requests listed in the Attachment to this Order.⁷ Any party aggrieved by a filing’s dismissal may file a petition for reconsideration with PSHSB or an application for review with the full Commission.⁸ Should no petitions for reconsideration, applications for review, or petitions for judicial review of this Order be timely filed, the above-captioned proceeding shall be terminated, and the docket will be closed.

IV. ORDERING CLAUSES

6. Accordingly, **IT IS ORDERED**, pursuant to the authority contained in Sections 4(i) and 4(j) of the Communications Act, 47 U.S.C. § 154(i) and (j), and Sections 0.191(e), 0.191(f), and 0.392 of the Commission’s rules, 47 CFR §§ 0.191(e), 0.191(f), and 0.392, that the petitions and other requests set forth in the Attachment hereto are dismissed.

7. **IT IS FURTHER ORDERED** that this Order shall be effective upon publication in the Federal Register.

⁴ 47 CFR § 0.191(f). See also 47 CFR § 0.392 (delegating the functions listed in Section 0.191 to PSHSB).

⁵ *Dismissal Public Notice*, 29 FCC Rcd at 14272.

⁶ *Dismissal Public Notice Federal Register Summary*, 79 FR at 75553.

⁷ The petition for rulemaking cited as the “E911 Privacy (CPNI) Petition” in the *Termination Public Notice* was dismissed as moot in a previous order. See *Termination of Certain Proceedings as Dormant, Order*, CG Docket No. 11-99, 26 FCC 15312, 15344 (CGB 2011) (dismissing the petition in connection with terminating RM-10715 as dormant). Accordingly, we do not take any further action on that petition in this proceeding. The petition for rulemaking cited as “Frequency Coordination Below 470 MHz” in the *Termination Public Notice* also was dismissed as moot in a previous order. *Id.* at 15342 (dismissing the petition in connection with terminating WT Docket No. 02-285 as dormant). Accordingly, we do not take any further action on that petition.

⁸ See 47 CFR §§ 1.106 and 1.115, respectively.

8. **IT IS FURTHER ORDERED** that should no petitions for reconsideration, applications for review, or petitions for judicial review of this Order be timely filed, the above-captioned proceeding shall be TERMINATED, and PS Docket 14-246 will be closed.

FEDERAL COMMUNICATIONS COMMISSION

Lisa M. Fowlkes
Acting Chief
Public Safety and Homeland Security Bureau

ATTACHMENT

Petitioner	Description	Date Filed	Docket #	ECFS Document Link(s)
AccessLine	Petition for Waiver	01/05/06	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518193744
ACN Digital Phone Service LLC	Petition for Waiver	12/19/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518190561
ACN Digital Phone Service LLC	Petition for Extension of Time and Limited Waiver	12/19/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518190560
Broadvox, Inc.	Request for an extension of time	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/comment/view?id=5513335049
Constant Touch Communications, LLC	Request for extension of time and limited waiver	11/29/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184546
CoreComm Voyager, Inc.	Update to Compliance Report; discontinuation of service	12/12/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518189204
Cypress Communications, Inc.	Update to Petition for Extension of Time and Limited Waiver	05/26/06	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518348460
Cypress Communications, Inc.	Update to Petition for Extension of Time and Limited Waiver	05/26/06	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518348454
deltaThree, Inc.	Petition for Extension of Time and Limited Waiver	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184071
deltaThree, Inc.	Petition for Extension of Time and Limited Waiver	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184075
Eureka Telecom Inc. d/b/a Eureka Networks	Request for limited waiver and extension of time	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183575
i2 Telecom International, Inc.	Petition for Extension and Request for Limited Waiver	11/30/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184153
i2 Telecom International, Inc.	Petition for Extension and Request for Limited Waiver	11/30/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184155
Lightyear Network Solutions, LLC	911 Compliance Status Report and Request for Extension of Time	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6519110485
M5 Networks, Inc.	Compliance Letter Regarding E911 Services and Request for Forbearance	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183789
Net2Phone, Inc.	Petition for Limited Waiver	12/02/05	05-196	https://ecfsapi.fcc.gov/file/6518185799.pdf

Nuvio Corporation	Petition for Extension and Limited Waiver	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184136
Primus Telecommunications, Inc.	Petition for Waiver	12/16/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518189937
RNK Inc., d/b/a RNK Telecom	Petition for Waiver	11/3/05	04-36, 05-196	https://www.fcc.gov/ecfs/filing/5513328738/document/6518177248
Shared Data Networks, LLC	Request for Temporary Waiver	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183874
Speakeasy, Inc.	Petition for Limited Waiver and Motion for Declaratory Ruling	02/08/06	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518324197
Telefinity Corporation d/b/a Dash 911	Letter for Extension of Deadline	11/07/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518182312
Third Party Verification, Inc.	Letter Requesting Forbearance from Enforcement of Compliance Deadline and Ex Parte filing	11/23/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518182368
Tufone, Inc.	Petition for Waiver	11/24/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183484
Voiceglo	Request for Waiver	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183756
Vonage America Inc.	Compliance Letter and Request for Waiver of Deadline	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184168
VOX Communications Corporation	Petition for Waiver	11/28/05	05-196	http://apps.fcc.gov/ecfs/document/view?id=6518183750
XO Communications Services, Inc.	Petition for Waiver	12/20/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518190727
Yak Communications (America), Inc.	Request for Extension of Time	11/28/05	04-36, 05-196	http://apps.fcc.gov/ecfs/document/view?id=6518184020