



# PUBLIC NOTICE

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## GUIDANCE ON THE FCC'S SUNSHINE PERIOD IN THE *RESTORING INTERNET FREEDOM* PROCEEDING

### WC Docket No. 17-108

Today, the Federal Communications Commission released its Agenda for the Commission's May 18, 2017 Open Meeting. The Agenda identifies the items that the Commission intends to vote on during that meeting.

The *Restoring Internet Freedom* Notice of Proposed Rulemaking is included in the list of items to be considered. The FCC has long-standing rules that apply to all presentations (including comments, filings, and other submissions) that concern any item that has been listed on the Agenda. Given the significant public interest in this item, this Public Notice both reminds the public of those rules and highlights the opportunities that the public will have to continue its participation in this important proceeding.

Under the Commission's long-standing rules that apply to all proceedings, all presentations to Commission "decision-makers" that concern a matter listed on the Agenda are prohibited during what is known as the Sunshine Agenda period.<sup>1</sup> This means that during this brief period of time, members of the public cannot make presentations to FCC employees who are working on the matter, and are likely to be involved in making a decision on it, if the underlying content of the communication concerns the outcome of the proceeding. Thus, for example, during this brief period of time, the Commission's rules generally prohibit members of the public from submitting comments through the Commission's website addressing the merits of the *Restoring Internet Freedom* Notice of Proposed Rulemaking or any other item to be considered at the May 18 meeting. The Commission adopted these rules to provide FCC decision-makers with a period of repose during which they can reflect on the upcoming items.

The Sunshine Agenda period for the *Restoring Internet Freedom* Notice of Proposed Rulemaking will begin **on May 12, 2017**, and will continue **until the Commission releases the text of the Notice of Proposed Rulemaking or removes it from the meeting agenda**. Presentations, including comments, that are received during the Sunshine Agenda period and do not meet an exception to the Commission's rules will be marked in the Commission's Electronic Comment Filing System (ECFS) as "SUNSHINE." **These presentations will be associated with, but not made a part of, the record in the proceeding.** Presentations made by the public after the end of the Sunshine Agenda period *will* be made a part of the record of the proceeding.

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<sup>1</sup> 47 CFR § 1.1203.

The Commission encourages robust participation from interested members of the public in all of its proceedings. If the Notice of Proposed Rulemaking is adopted at the Commission's May 18 meeting, the formal comment period will begin when that document is released. Members of the public are encouraged during that period to file their comments regarding this matter in ECFS to be considered as part of the formal rulemaking record. For assistance with using ECFS, please contact the ECFS Help Desk via email at [ECFSHelp@fcc.gov](mailto:ECFSHelp@fcc.gov) or at [202-418-0193](tel:202-418-0193). *See also Consumer and Governmental Affairs Bureau Guidance on Filing Comments in the Restoring Internet Freedom Proceeding*, WC Docket No. 17-108, Public Notice (CGB Apr. 27, 2017).

ACCESSIBLE FORMATS: 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 and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

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