



# PUBLIC NOTICE

Federal Communications Commission  
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## WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PHI SERVICE COMPANY REQUESTS FOR EXTENSION OR WAIVER OF PART 22 PAGING PERFORMANCE REQUIREMENTS

WT Docket No. 17-246

**Comments Due: October 16, 2017**

**Reply Comments Due: October 31, 2017**

On July 3, 2017, PHI Service Company (PHI) filed a request for an extension of time or waiver (931 Request)<sup>1</sup> of the performance requirement applicable to certain of its 931 MHz paging geographic area licenses (the Licenses).<sup>2</sup> Pursuant to section 22.503(k) of the Commission's rules, a geographic area paging licensee must construct sufficient facilities to cover two-thirds of the population or demonstrate that it is providing "substantial service" in the area no later than five years after initial grant.<sup>3</sup> In this case, PHI elected to show substantial service for the Licenses at the five-year deadline which was previously extended to July 3, 2017.<sup>4</sup> PHI explains that the Licenses are being used to support critical smart grid applications and distribution automation requirements of its affiliated energy delivery companies.<sup>5</sup> PHI seeks an extension of time until December 31, 2017, to complete construction and demonstrate substantial service for the Licenses.<sup>6</sup>

In addition, on August 1, 2017, PHI filed a request for extension of time to construct its paging license identified by Call Sign WQMT945 (UHF Request).<sup>7</sup> PHI also elected to show substantial service

<sup>1</sup> PHI Service Company Substantial Service Showing and/or Request for Extension of Time for 931 MHz Paging Service Licenses in MEA 2 (filed July 3, 2017) (931 Request). See Universal Licensing System (ULS) File Nos. 0007841621, 0007841622, 0007841623, and 0007841624.

<sup>2</sup> The 931 Request covers the following 4 Licenses: Call Signs WQMS681, WQMS682, WQMS688, and WQMS689.

<sup>3</sup> 47 CFR § 22.502(k)(2) and (3).

<sup>4</sup> See Letter from Keith Harper, Associate Chief, Mobility Division, Wireless Telecommunications Bureau, to C. Douglas Jarrett, Esq., Counsel, PHI Service Company, dated June 28, 2016 (extending until July 3, 2017, the construction deadline for certain Auction 87 Part 22 licenses that were partially constructed and providing service by their original deadlines).

<sup>5</sup> 931 Request at 1. The 931 Request states that PHI is a subsidiary of Exelon Corporation, one of the largest diversified energy companies in the U.S. and affiliated with five energy delivery companies in the mid-Atlantic region. *Id.*

<sup>6</sup> *Id.* at 2.

<sup>7</sup> PHI Service Company Request for Extension of Time to Construct (filed August 1, 2017) (UHF Request). See ULS File No. 0007875900. Call Sign WQMT945 is a 452/458 MHz paging geographic area license.

for this call sign at the five-year deadline which was previously extended to August 1, 2017.<sup>8</sup> PHI explains that Call Sign WQMT945 is being used to implement a UHF data network to support critical smart grid applications.<sup>9</sup> PHI seeks an extension of time until December 31, 2017, to complete construction for Call Sign WQMT945.<sup>10</sup>

By this Public Notice, we seek comment on the 931 Request and the UHF Request.

### **Procedural Matters**

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>11</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 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.

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://apps.fcc.gov/ecfs/>.
- 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

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<sup>8</sup> See Letter from Keith Harper, Associate Chief, Mobility Division, Wireless Telecommunications Bureau, to C. Douglas Jarrett, Esq., Counsel, PHI Service Company, dated August 30, 2016 (extending until August 1, 2017, the construction deadline for certain PHI licenses that were partially constructed and providing service by their original deadlines).

<sup>9</sup> UHF Request at 2.

<sup>10</sup> *Id.*

<sup>11</sup> 47 CFR §§ 1.1200 *et seq.*

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.

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Copies of materials which are available, or made available, for public inspection may be obtained by visiting the FCC's Reference Information Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554. Or, visit the Commission's website at [www.fcc.gov](http://www.fcc.gov). Documents can be downloaded from the website by using the following databases:

- Electronic Comment Filing System ([ECFS](#))
- Electronic Document Management System ([EDOCS](#))

For further information, contact Melissa Conway of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2887, or email to [Melissa.Conway@fcc.gov](mailto:Melissa.Conway@fcc.gov).

By the Chief, Mobility Division, Wireless Telecommunications Bureau.

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