



# PUBLIC NOTICE

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## WIRELESS TELECOMMUNICATIONS BUREAU AND PUBLIC SAFETY AND HOMELAND SECURITY BUREAU EXTEND FILING AND REGULATORY DEADLINES AND STREAMLINE ENVIRONMENTAL NOTIFICATION PROCESS FOR AREAS AFFECTED BY HURRICANE MARIA

Considering the devastation caused by Hurricane Maria in Puerto Rico and the U.S. Virgin Islands,<sup>1</sup> the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau are taking a number of steps to relieve regulatory burdens on affected licensees, applicants, and registrants.

We find good cause to waive certain of our rules, on our own motion, as described below, for six months, in order to alleviate the burden of regulatory compliance as Puerto Rico and the U.S. Virgin Islands recover from Hurricane Maria.<sup>2</sup> We will also consider, as the six-month date approaches, whether additional relief on a broad or more targeted basis is needed.

We therefore extend certain deadlines occurring between September 20, 2017 and March 19, 2018, until March 20, 2018, for affected licensees, applicants, and registrants in Puerto Rico and the U.S. Virgin Islands. In this context, “affected” means those persons or entities that operate facilities in the Commonwealth of Puerto Rico or the territory of the U.S. Virgin Islands, as well as persons or entities that rely in a significant manner essential to their operations on personnel, records, or financial institutions located in those areas to provide services or to conduct substantial activities with the Commission.

(1) We extend until March 20, 2018, any deadlines currently set within the period from September 20, 2017, to March 19, 2018, inclusive, with respect to Wireless Radio Service<sup>3</sup> applications, notifications, and reports pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 30, 74 (excluding Subparts G, and L), 80, 87, 90, 95, 96, 97, or 101 of the Commission’s rules, including, but not limited to, filings regarding certain minor<sup>4</sup> license modifications, license renewals, and notifications of construction. Licensees

<sup>1</sup> President Trump issued major disaster declarations for both of these areas. See <https://www.whitehouse.gov/the-press-office/2017/09/21/president-donald-j-trump-approves-puerto-rico-disaster-declaration>; <https://www.whitehouse.gov/the-press-office/2017/09/21/president-donald-j-trump-approves-us-virgin-islands-disaster-declaration>.

<sup>2</sup> 47 CFR § 1.3. The nature and scope of the devastation, and the critical need to restore communications, constitute good cause for these actions. See *Connect America Fund*, FCC 17-129, released October 4, 2017, at paras. 1-2. Information on earlier waivers from the Wireless Telecommunications Bureau or Public Safety and Homeland Security Bureau addressing non-licensing matters is available at [www.fcc.gov/maria](http://www.fcc.gov/maria).

<sup>3</sup> *Wireless Radio Services*. All radio services authorized in Parts 13, 20, 22, 24, 27, 30, 74, 80, 87, 90, 95, 96, 97 and 101 of the Commission’s, whether commercial, private, or public safety in nature.

<sup>4</sup> See 1.947(b) – we waive the requirement to notify the Commission within 30 days of making a minor modification.

making delayed filings in accordance with this extension must include with those filings a certification made under penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane. Pursuant to this Public Notice, licensees will not need to file individual waiver or extension requests, or to pay individual waiver fees.<sup>5</sup>

(2) We extend until March 20, 2018, all construction deadlines and other regulatory deadlines currently set within the period from September 20, 2017, to March 19, 2018, inclusive, applicable to Wireless Radio Services pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 30, 74 (excluding Subparts G, and L), 80, 87, 90, 95, 96, 97, or 101 of the Commission's rules. Licensees making delayed filings in accordance with this extension must include with those filings a certification made under penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane.<sup>6</sup> Pursuant to this Public Notice, licensees will not need to file individual waiver or extension requests, or to pay individual waiver fees.

(3) We waive certain requirements relating to the environmental notification process. First, we expand the exception that currently applies to antenna structures that will be in place for no more than 60 days, in order to allow temporary towers to remain in place for a longer period without requiring environmental notification.<sup>7</sup> Specifically, we waive the Section 17.4(c) requirement to complete the environmental notification process for the construction or deployment of a temporary antenna structure that will be in place until no later than March 19, 2018, so long as the structure otherwise satisfies Section 17.4(c)(1)(vii)(B) through (E). Temporary structures that will be in place beyond that date will remain exempt from the environmental notification process under existing rules, so long as they will not be in place for more than 60 days from the time the structure was erected.

We also waive the environmental notice requirement under Section 17.4(c) for structures constructed to restore service in the affected area. Pre-construction environmental notification will not be required in such cases, on the condition that applicants availing themselves of this waiver complete the environmental notice requirement as soon as practicable thereafter, but in any event no later than March 20, 2018. Entities relying upon these waivers must include with their applications for antenna structure registration a certification made under penalty of perjury that they meet the conditions for waiver.

(4) We also waive Section 1.931(a) of the Commission's rules through March 19, 2018, to allow the filing of STA requests for Wireless Radio Services in manners other than electronically on FCC Form 601, *e.g.*, by requesting STAs by telephone call to Commission staff.<sup>8</sup> Further, because the President has issued major disaster declarations for Puerto Rico and the U.S. Virgin Islands, all STA filings related to Hurricane Maria will be considered "emergency filings" pursuant to Section 1.915(b) of the

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<sup>5</sup> Public safety applicants and licensees do not accrue filing fees of any kind.

<sup>6</sup> To allow WTB and PSHSB to process filings submitted through the Universal Licensing System (ULS) as expeditiously as possible, an "Attachment Type" has been created in ULS called "Hurricane Relief." This Attachment Type must be used to upload and attach to a filing a certification that states "under penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane." To provide the required certification, licensees and applicants should upload a file with the certification, select Attachment Type "Hurricane Relief," and enter "Hurricane Relief Certification" in the File Description field on the Attachment Screen. Filings submitted manually should include an attachment with the hurricane-related certification and the following statement at the top of the attachment: "Hurricane Relief Certification."

<sup>7</sup> See 47 CFR § 17.4(c).

<sup>8</sup> 47 CFR § 1.931(a).

Commission's rules<sup>9</sup> and will be processed as expeditiously as possible. Affected licensees must include a certification that the STA request is in response to Hurricane Maria. To file STA requests via email or fax, or to receive an oral STA, licensees may contact the following personnel:

- Parts 22, 24, and 27 (excluding 600 MHz Service, Advanced Wireless Service, Broadband Radio Service and Educational Broadband Service): Keith Harper, (202) 418-2759, fax (202) 418-0122, [Keith.Harper@fcc.gov](mailto:Keith.Harper@fcc.gov).
- Parts 27 (600 MHz Service, Advanced Wireless Service, Broadband Radio Service and Educational Broadband Service); Part 30; Part 74 (excluding Subparts G and L); and Part 101 (excluding Public Safety): Elizabeth Fishel, (717) 338-2649, fax (717) 338-2698, [Elizabeth.Fishel@fcc.gov](mailto:Elizabeth.Fishel@fcc.gov).
- Parts 80, 87, 90 (excluding Public Safety), 95, and 97: Mike Regiec, (717) 338-2603, fax (717) 338-2698, [Mike.Regiec@fcc.gov](mailto:Mike.Regiec@fcc.gov).
- Parts 90 & 101 (Public Safety): Tracy Simmons, (717) 338-2657, fax (717) 338-2698, [Tracy.Simmons@fcc.gov](mailto:Tracy.Simmons@fcc.gov).
- In addition, during evening hours, weekends, and holidays, licensees needing FCC emergency assistance or STAs can call the FCC's Operation Center, which is open 24 hours a day, 7 days a week, at (202) 418-1122 or by email at [FCCOperationCenter@fcc.gov](mailto:FCCOperationCenter@fcc.gov).

**Operation during emergencies.** We remind licensees that Sections 22.307, 90.407, and 101.205 of the Commission's rules address operation during periods of emergency for licensees authorized under these rule parts.<sup>10</sup> These rules allow licensees to provide emergency communications during a period of emergency in a manner or configuration not specified in the station authorization or in the rules governing such stations.

**Priority review by WTB and PSHSB.** Finally, we remind affected parties that they can also file waiver requests for relief not covered by the PN. To facilitate the rapid restoration of communications infrastructure and services to the islands, through March 20, 2018, the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau will give priority to the review of filings seeking authority to operate in Puerto Rico and the U.S. Virgin Islands.

By the Chief, Wireless Telecommunications Bureau and the Chief, Public Safety and Homeland Security Bureau

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<sup>9</sup> 47 CFR § 1.915(b).

<sup>10</sup> 47 CFR §§ 22.307, 90.407, 101.205.