



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 18-1303

Released: December 26, 2018

**WIRELESS TELECOMMUNICATIONS BUREAU ESTABLISHES UNIFORM
DEADLINES FOR OPPOSITIONS AND REPLIES REGARDING A PETITION FOR
RECONSIDERATION OF THE
WIRELESS INFRASTRUCTURE DECLARATORY RULING AND
THIRD REPORT AND ORDER**

WT Docket No. 17-79 and WC Docket No. 17-84

**Opposition Date: 15 Days After Federal Register Publication of Notice of Petition for
Reconsideration**

**Reply Date: 10 Days After the Time for Filing Oppositions to Petition for
Reconsideration has Expired**

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) establishes a uniform deadline for oppositions to and replies to oppositions to a petition for reconsideration of the *Wireless Infrastructure Declaratory Ruling and Third Report and Order*.¹ Allan S. Tilles, on behalf of the City of New Orleans, Louisiana; Virginia Municipal League; Kentucky League of Cities; Mississippi Municipal League; Pennsylvania Municipal League; Alabama League of Municipalities; Arkansas Municipal League; Nevada League of Cities and Municipalities; Town of Middleburg, Virginia; Jefferson Parish, Louisiana; and the Government Wireless Technology & Communications Association filed a petition seeking reconsideration of the *Wireless Infrastructure Declaratory Ruling and Third Report and Order*.² This Petition asks the Commission to reconsider the recurring fee structure, the definition of “effective prohibition,” and undergrounding and minimum spacing issues in the *Declaratory Ruling*, and the presumptively reasonable periods of time for processing deployment applications in the *Third Report and Order*.³

¹ See *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79, WC Docket No. 17-84, Declaratory Ruling and Third Report and Order, FCC 18-133 (rel. Sept. 27, 2018).

² See Petition for Reconsideration of the City of New Orleans, Louisiana; Virginia Municipal League; Kentucky League of Cities; Mississippi Municipal League; Pennsylvania Municipal League; Alabama League of Municipalities; Arkansas Municipal League; Nevada League of Cities and Municipalities; Town of Middleburg, Virginia; Jefferson Parish, Louisiana; and the Government Wireless Technology & Communications Association., WT Docket No. 17-79, WC Docket No. 17-84 (filed Nov. 14, 2018) (“Petition”).

³ *Id.*

Oppositions to a petition for reconsideration of an order in a non-rulemaking proceeding are due within 10 days after the petition is filed.⁴ In contrast, oppositions to a petition for reconsideration of a final order in a rulemaking proceeding are due within 15 days after the Commission publishes notice in the Federal Register of the timely filed petitions for reconsideration.⁵ Similarly, the deadlines for replies to oppositions vary—seven days after oppositions are due in a non-rulemaking⁶ compared to 10 days for a final order in a rulemaking.⁷

For the convenience of all parties, to promote administrative efficiency, and to avoid unnecessary confusion from parties who may be uncertain about the deadlines for filing oppositions and replies to the Petition, the Bureau hereby adopts uniform deadlines for the filing of oppositions to the Petition, and for replies to such oppositions. The Bureau therefore harmonizes the opposition and reply cycle by setting the dates for oppositions to the Petition and any replies thereto using the timeline provided in the Commission's rules for responding to petitions for reconsideration of a final order in a rulemaking proceeding.

Oppositions to the Petition shall be filed within 15 days after the date that notice of the Petition is published in the Federal Register and replies to oppositions shall be filed within 10 days after the time for filing oppositions has expired.⁸ A separate Public Notice will be issued when notice of the Petition is published in the Federal Register.

Because the Commission received many comments in the *Declaratory Ruling and Third Report and Order* proceeding, and because the Bureau is releasing this Public Notice, the Bureau finds good cause to waive the service requirements in 47 CFR §§ 1.106(f)-(h) and 1.429(f)-(g).⁹ This Public Notice provides sufficient notice to interested stakeholders of the existence of the Petition and of parties' opportunity to respond to the Petition.

Action by the Deputy Chief, Wireless Telecommunications Bureau.

For further information, please contact Donald Johnson of the Wireless Telecommunications Bureau, Competition and Infrastructure Policy Division, at (202) 418-7444 or Donald.Johnson@fcc.gov.

- FCC -

⁴ See 47 CFR § 1.106(g).

⁵ See 47 CFR § 1.429(f).

⁶ See 47 CFR § 1.106(h).

⁷ See 47 CFR § 1.429(g).

⁸ See 47 CFR § 1.429(f)-(g).

⁹ See 47 CFR §§ 1.106(f)-(h); 1.3, 1.429(f)-(g).