

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

In the Matter of	)	
	)	
Amendment to the Commission’s Rules	)	
Concerning Effective Competition	)	
	)	MB Docket No. 15-53
Implementation of Section 111 of the	)	
STELA Reauthorization Act	)	
	)	
Petition for Reconsideration	)	

**ORDER**

**Adopted: February 12, 2018**

**Released: February 12, 2018**

By the Chief, Media Bureau:

1. In this Order, we dismiss the petition for reconsideration in the above-captioned proceeding filed jointly on January 19, 2016 by the National Association of Telecommunications Officers and Advisors (NATOA), National Association of Broadcasters (NAB), and Northern Dakota County Cable Communications Commission (NDC4).<sup>1</sup> The Petition sought reconsideration of the Media Bureau’s *Effective Competition Public Notice*<sup>2</sup> implementing the Commission’s 2015 *Effective Competition Order*.<sup>3</sup> The stated purpose of the Petition was to provide a means by which the Bureau could vacate the *Effective Competition Public Notice* “in the event that the D.C. Circuit sets aside the *Effective Competition Order*.”<sup>4</sup>

2. On July 7, 2017, the United States Court of Appeals for the District of Columbia denied the petition for review of the *Effective Competition Order* and upheld the Commission’s action.<sup>5</sup> On February 2, 2018, NATOA, NAB, and NDC4 requested to withdraw the Petition based upon a belief that it is moot.<sup>6</sup> We agree that because the *Effective Competition Order* was upheld, the Petition is now moot.

<sup>1</sup> NATOA *et al.*, Petition for Reconsideration (filed Jan. 19, 2016) (Petition).

<sup>2</sup> *Findings of Competing Provider Effective Competition Following December 8, 2015 Filing Deadline for Existing Franchise Authority Recertification*, Public Notice, 30 FCC Rcd 14293 (MB 2015) (*Effective Competition Public Notice*).

<sup>3</sup> *Amendment to the Commission’s Rules Concerning Effective Competition; Implementation of Section 111 of the STELA Reauthorization Act*, Report and Order, 30 FCC Rcd 6574 (2015) (*Effective Competition Order*).

<sup>4</sup> Petition at 2.

<sup>5</sup> *National Association of Telecommunications Officers and Advisors, et al. v. Federal Communications Commission & United States*, 862 F.3d 18 (D.C. Cir. July 7, 2017).

<sup>6</sup> NATOA *et al.*, Request to Withdraw Petition for Reconsideration (filed Feb. 2, 2018).

3. Accordingly, the Request to Withdraw Petition for Reconsideration filed by NATOA, NAB, and NDC4 **IS GRANTED** and the petition for reconsideration of the *Effective Competition Public Notice* in the above-captioned proceeding **IS DISMISSED**.

4. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.<sup>7</sup>

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey  
Chief, Media Bureau

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<sup>7</sup> 47 CFR § 0.283.