



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 19-478

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON DYNETICS, INC. REQUEST FOR MODIFICATION, WAIVER OF TEMPORARY FREEZE ON NON-FEDERAL APPLICATIONS IN THE 3100-3550 MHZ BAND

WT Docket 19-39

Comments Due: June 12, 2019

Reply Comments Due: June 24, 2019

By this public notice, the Wireless Telecommunications Bureau (Bureau) seeks comment on the request of Dynetics, Inc. (Dynetics)¹ for modification of the Commission's freeze on applications in the 3100-3550 MHz frequency band (Freeze)² and on Dynetics's related request for waiver of the Freeze.³

On May 17, 2019, Dynetics filed a request to modify the Freeze to apply only to the 3450-3550 MHz frequency range, allowing for the grant of applications for operations below 3450 MHz.⁴ In the alternative, Dynetics requests that that Bureau modify the Freeze to permit applications for certain operations in the 3100-3300 MHz frequency band.⁵ On May 17, 2019, Dynetics also filed a request for waiver of the Freeze to permit certain prospective users to submit applications for radiolocation operations in the 3100-3300 MHz frequency band.⁶

We seek comment on these requests.

Procedural Matters

The Dynetics Modification Request, Dynetics Waiver Request, comments, and reply comments can be accessed electronically via the Commission's Electronic Comment Filing System, <https://www.fcc.gov/ecfs/>. Search for filings using the docket number shown on the first page of this Public Notice. The full text of the Petition, comments and reply comments will be available for inspection and

¹ Dynetics, Inc. Request for Modification of Temporary Freeze on Non-Federal Applications in the 3100-3550 MHz Band, WT Docket No. 19-39 (filed May 17, 2019) (Dynetics Modification Request).

² See *Temporary Freeze on Non-Federal Applications in the 3100-3550 MHz Band*, Public Notice, DA 19-105 (WTB Feb. 22, 2019) (Freeze PN). On February 22, 2019, the Bureau announced a temporary freeze on the acceptance and processing of applications for new or expanded Part 90 Radiolocation Service operations in the 3100-3550 MHz frequency band. *Id.* at 1. The Freeze went into effect on February 22, 2019. *Id.*

³ Dynetics, Inc. Request for Limited Waiver of Temporary Freeze on Non-Federal Applications in the 3100-3550 MHz Band, WT Docket No. 19-39 (filed May 17, 2019) (Dynetics Waiver Request).

⁴ Dynetics Modification Request at 1.

⁵ *Id.* at 12.

⁶ Dynetics Waiver Request at 1-2.

duplication during regular business hours in the FCC Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street, S.W., Room CY-A257, Washington, DC 20554.

Comment Filing Procedures

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) or by filing paper copies.⁷

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/filings>. Filers should follow the instructions provided on the website for submitting comments. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number shown on the first page of this Public Notice.
- 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 in response to this Public Notice may 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 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 12th 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 9050 Junction Dr., Annapolis Junction, Annapolis MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: 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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 888-835-5322 (tty).

Ex Parte Rules—Permit-But-Disclose: Pursuant to § 1.1200(a) of the Commission's rules, this Petition shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. 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 Section 1.1206(b) of the Commission's

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

rules.⁸ In proceedings governed by Section 1.49(f) of the Commission's rules⁹ 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.

For further information, contact Amanda Huetinck, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-7090 or amanda.huetinck@fcc.gov.

By the Chief, Mobility Division, Wireless Telecommunications Bureau.

⁸ 47 CFR § 1.1206(b).

⁹ 47 CFR § 1.49(f).