



PUBLIC NOTICE

Federal Communications Commission
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DA 20-644

Released: June 18, 2020

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PSSI GLOBAL SERVICES, L.L.C. REQUEST FOR STAY OF 3.7-4.2 GHZ BAND REPORT AND ORDER AND ORDER OF PROPOSED MODIFICATION

GN Docket No. 18-122

Comment Date: June 25, 2020

Reply Comment Date: June 30, 2020

With this Public Notice, we seek comment on a request that the Commission stay, pending judicial review, the rules adopted in the *Expanding Flexible Use of the 3.7 to 4.2 GHz Band Report and Order and Order of Proposed Modification*, filed by PSSI Global Services, L.L.C. (PSSI).¹ PSSI has challenged the *3.7 GHz Report and Order* in the United States Court of Appeals for the D.C. Circuit and seeks a stay from the Commission pending judicial review.²

We seek comment on the issues raised by PSSI's request for stay.³

* * *

Pursuant to sections 1.45, 1.415, and 1.419 of the Commission's rules, 47 CFR §§ 1.45, 1.415, 1.419, interested parties are invited to file comments on or before the date indicated on the first page of this document. All filings must reference GN Docket No. 18-122. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the internet by accessing the

¹ Request for Stay, GN Docket No. 18-122, PSSI (filed June 17, 2020) (Stay Request); *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343 (2020) (*3.7 GHz Report and Order*).

² Notice of Appeal, *PSSI Global Services, L.L.C. v. FCC*, No. 20-1142 (D.C. Cir., filed Apr. 28, 2020); Petition for Review, *PSSI Global Services, L.L.C. v. FCC*, No. 20-1143 (D.C. Cir., filed Apr. 28, 2020).

³ While the pleading cycle for stay requests specified by 47 CFR § 1.45(d) requires oppositions to be filed within seven days of the request's filing and forbids replies to oppositions, we have determined that the slightly longer time that we have specified above for filing oppositions, as well as a provision for filing replies, is warranted in this case to provide a meaningful opportunity to respond to the request for stay (particularly in light of the procedures that must be followed in order to obtain access to the confidential information contained in the request) and for the Commission to fully consider those responses and the issues raised. Moreover, there is no reasonable basis for finding that the Small Satellite Operators will be harmed by this very brief extension of the pleading cycle. Accordingly, pursuant to sections 0.131, 0.331 and 1.3 of the Commission's rules, 47 CFR §§ 0.131, 0.331 and 1.3, we hereby modify, for good cause, the pleading cycle specified in section 1.45(d) to the extent provided herein.

ECFS: <https://www.fcc.gov/ecfs/>.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial courier or by the U.S. Postal Service. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial deliveries (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service First-Class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.
- **Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>**
- **During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.**

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 & Government Affairs Bureau at 202-418-0530 (voice, 202-418-0432 (tty)).

Ex Parte Rules. This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ 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 presenters 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 rules. In proceedings governed by section 1.49(f) of the rules 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).⁵ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

⁴ See 47 CFR § 1.1200 *et seq.*

⁵ *Id.* § 1.1206(b).

Additional Information. For further information regarding this Public Notice, please contact Susan Mort, Wireless Telecommunications Bureau, at Susan.Mort@fcc.gov or 202-418-2429.