



# PUBLIC NOTICE

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DA 21-435

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## THE WIRELESS TELECOMMUNICATIONS BUREAU ESTABLISHES A NEW DOCKET FOR C-BAND TRANSITION DISPUTE REFERRALS

### WT Docket No. 21-154

With this Public Notice, the Wireless Telecommunications Bureau (WTB) establishes WT Docket No. 21-154, which is captioned “3.7-4.2 GHz Band Transition Relocation Dispute Referrals.”

The 3.7-4.2 GHz band transition Relocation Coordinator, RSM US LLP (RSM), is directed to notify WTB of disputes involving the comparability of facilities, workmanship, and preservation of service by submitting them through the Electronic Comment Filing System (ECFS) in this new docket.<sup>1</sup> RSM should file these matters, including recommendations for their resolution and any related information provided by the disputants, as soon as practicable but in no event any later than 10 business days after it receives formal notice of the dispute.<sup>2</sup> All filings submitted through ECFS are available to the public in their entirety. If RSM or any other party seeks confidential treatment for any information or materials to be submitted, it may do so pursuant to section 0.459 of the Commission’s rules.<sup>3</sup>

Following any submission from RSM, WTB may announce additional procedures to be followed for resolving the dispute.

*Ex parte rules.* Any *ex parte* presentations related to matters raised in this docket shall be subject to “permit-but-disclose” *ex parte* rules.<sup>4</sup> 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). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules, including the general prohibition on presentations (written and oral) on matters listed in the Sunshine Agenda, which typically

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<sup>1</sup> 47 CFR § 27.1413(c)(5); *see also Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Proposed Modification, 35 FCC Rcd 2343 para. 314 (2020) (*3.7 GHz Report and Order*).

<sup>2</sup> RSM has “outlined an intake and reporting process for all parties to follow” in the event of disputes, which is available at <https://response.rsmus.com/RCmediationresolutionnotification>; notification made pursuant to those procedures will be considered formal notice. *See* Letter from Chris Ekimoff, Director, RSM US LLP, to Marlene Dortch, Secretary, FCC at 1 (Apr. 7, 2021) (on file in IB 20-205, WT 18-122, GN 20-173).

<sup>3</sup> 47 CFR § 0.459. Pursuant to earlier instructions regarding the submission of confidential materials during the COVID-19 pandemic, RSM is directed to contact FCC staff for instructions on how to upload unredacted confidential submissions via Box. A redacted version of the confidential submission should be filed through ECFS in the above-referenced docket. *See FCC Provides Further Instructions Regarding Submission of Confidential Materials*, Public Notice, DA 20-361, 35 FCC Rcd 2973 (2020).

<sup>4</sup> *See* 47 CFR §§ 1.1206, 1.1200(a).

is released a week prior to the Commission's meeting.<sup>5</sup>

*Accessibility Information.* 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](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice).

Action by Acting Chief, Wireless Telecommunications Bureau.

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<sup>5</sup> See 47 CFR §§ 1.1200(a), 1.1203.