



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

DA 23-506

Released: June 13, 2023

UNIVERSAL LICENSING, TOWER CONSTRUCTION NOTIFICATION, E-106, AND ANTENNA STRUCTURE REGISTRATION SYSTEMS UNAVAILABLE; FILING DEADLINES EXTENDED

The Federal Communications Commission's Universal Licensing System (ULS), Tower Construction Notification System (TCNS), E-106 System, and Antenna Structure Registration System (ASR) have been unavailable since approximately 6:30 p.m. EDT on Friday, June 9, due to technical issues that the agency anticipates resolving in the near term. By this Public Notice, the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau provide initial guidance regarding affected filing deadlines and review periods, as well as resources available for emergency authorization requests. The Bureaus will provide further guidance, including specific deadlines, by issuing another Public Notice once these systems are operational. The Commission is otherwise operating normally, staff of the affected Bureaus are available for relevant inquiries, and the FCC's 24/7 Operations Center remains open and available at (202) 418-1122.

Extension of Deadlines for Regulatory Filings in ULS and ASR: Because parties have not and will not be able to make electronic filings or view the contents of the affected systems while they are unavailable, we are extending the filing deadlines for all regulatory filings that needed to be or will need to be made in these systems starting June 9, 2023 and until the Commission announces normal ULS operations, for at least three business days after access to the systems resumes. We hereby waive the Commission's rules to the extent necessary to effectuate this extension. This Public Notice affects only the due dates for filings with the Commission that were or are scheduled to be made in the affected systems during the period while they are unavailable, as described in the preceding paragraph. We are not automatically extending the deadlines for any comment or filing periods that occur outside of this time period, but we will consider whether it is appropriate to do so once normal operations resume, and requests for extension of time will be considered consistent with the Commission's normal practice.

Pausing of Historic Preservation Review Periods: For any review periods based on filings made in the TCNS and E-106 systems that were or are in progress during the period of unavailability, those review periods are paused while the systems are unavailable. Accordingly, review periods will resume when the systems become available.¹

¹ During the period that the E106 system is not in operation, FCC Forms 620 and 621 may be submitted directly to the State Historic Preservation Officer (SHPO) as provided in the Nationwide Programmatic Agreement (NPA), 47 CFR Part 1, App. B, to the extent it is the SHPO's practice to accept such filings. The deadlines set forth in the NPA for responses to the applicant or the SHPO shall be measured from the date of filing with the SHPO.

Responsive Pleadings: To the extent the due dates are extended by this Public Notice for filings to which reply or responsive pleadings are allowed, the due dates for those reply or responsive pleadings shall be extended by at least three business days after the affected systems are available.

Statutory Filing Deadlines: The Commission cannot waive statutory filing deadlines such as those associated with petitions for reconsideration. For the purpose of any applicable statutory deadlines to any filings required to be made in the affected systems, we consider the Commission to have been closed for the filing of documents in these systems beginning at 5 p.m. EDT on Friday, June 9, 2023.² The Commission will issue a Public Notice at a later date announcing when the Commission is open for the filing of documents with statutory deadlines in the affected systems, including the deadline by which such documents must be filed to be deemed to satisfy the statutory deadline. We do not extend the due dates for responsive pleadings to such filings (which will be due as though the filings were made on the statutory due date) but will consider requests for extension of time consistent with the Commission's normal practice.

Mandatory Electronic Filings: Because we are extending the due dates for all filings impacted by the unavailable systems, the Commission will not accept paper filings in lieu of filings that, by rule, may only be made in one of the affected systems, whether or not accompanied by a request for waiver of the electronic filing requirement.

Special Temporary Authority (STA): Any STAs expiring on June 9, 2023 and until the Commission announces normal ULS operations, are extended for at least three business days after ULS becomes available again. While ULS is unavailable, all emergency STA requests should be submitted through the Electronic Comment Filing System (ECFS) pursuant to the instructions described in DA 20-463 for filing market-based STAs. Emergency STA requests can also be processed through the FCC Operations Center, (202) 418-1122, while ULS and other online resources are unavailable. All emergency STA requests should provide the emergency nature of the request, the technical parameters of the proposed operation, and a point of contact. These requests will be handled as expeditiously as possible.

Fee Payments: The FCC's Commission Registration (CORES) System is unaffected and will remain operational and available to pay any regulatory fee or application fee payments during this period.

Other Due Dates: This Public Notice affects only the due dates for filings with the Commission that are required to be made in the affected systems that would have been due during the time period discussed above, and related responsive pleadings. It does not affect the effective dates of Commission actions or other events, or dates for filings with entities other than the Commission, even if such filings are also made with the Commission.

For these purposes, and to the extent necessary, Section 1.4(j) of the Commission's rules, 47 CFR § 1.4(j), which would otherwise require filings to be made on the first business day of resumed Commission operations, is hereby waived.³

² 47 CFR § 1.4(e)(1).

³ Although the Commission will not be closed for business during this time period, some of the systems used by the public and by the staff will be unavailable as a practical matter. Section 1.4(j) of the rules provides that filings due on a holiday "shall be filed the next business day." 47 CFR § 1.4(j). Rule 1.4(e)(1) defines "holiday" to include any
(continued...)

Pursuant to 47 CFR § 1.3, and their respective delegated authorities, this Public Notice is issued by the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau.

Applicants and licensees with questions may contact FCC Licensing Support via the web or phone at the contact information available on the following page:
<https://www.fcc.gov/wireless/available-support-services>.

-FCC-

(Continued from previous page) _____
day on which the Commission's headquarters are closed "due to adverse weather, emergency or other closing." 47 CFR § 1.4(e)(1).