



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov

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WIRELESS TELECOMMUNICATIONS BUREAU ESTABLISHES WT DOCKET NO. 25-217

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By this Public Notice, the Wireless Telecommunications Bureau establishes WT Docket No. 25-217, which is captioned, “Modernizing the Commission’s National Environmental Policy Act Rules.”

Presentations are subject to “permit-but-disclose” *ex parte* rules. See 47 CFR §§ 1.206, 1.1200(a). 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 is released a week prior to the Commission’s meeting. See 47 CFR §§ 1.1200(a), 1.1203.

In light of the Commission’s trust relationship with Tribal Nations and our commitment to engage in government-to-government consultation with them, we find the public interest requires a limited modification of the *ex parte* rules in this proceeding. Tribal Nations, like other interested parties, should file comments, reply comments, and *ex parte* presentations in the record to put facts and arguments before the Commission in a manner such that they may be relied upon in the decision-making process consistent with the requirements of the Administrative Procedure Act. However, at the option of the Tribe, *ex parte* presentations made during consultations by elected and appointed leaders and duly appointed representatives of federally recognized Tribal Nations and Native Hawaiian Organizations to Commission decision makers shall be exempt from the rules requiring disclosure in permit-but-disclose proceedings and exempt from the prohibitions during the Sunshine Agenda period. To be clear, while the Commission recognizes consultation is critically important, we emphasize that the Commission will rely in its decision-making only on those presentations that are placed in the public record for this proceeding.

Action by Acting Chief, Wireless Telecommunications Bureau.