



# PUBLIC NOTICE

Federal Communications Commission  
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## **CERTAIN FCC DATABASES WILL BE UNAVAILABLE AND FILING DEADLINES WILL BE EXTENDED IN EARLY SEPTEMBER TO ACCOMMODATE A SIGNIFICANT FCC IT UPGRADE**

The Federal Communications Commission will be performing Information Technology upgrades and improvements from 6 p.m. EDT on Wednesday, September 2, 2015, through the Labor Day weekend. This work should be completed by 8 a.m. EDT on Tuesday, September 8, 2015.

As a result, most Commission resources normally accessible through the Commission's web site, including access to all electronic filing systems and electronic dockets, will be inaccessible for the same period (with modifications noted below), with the exception of the Network Outage Reporting System (NORS), the Consumer Help Center (CHC), and the Disaster Information Reporting System (DIRS), which will remain available.<sup>1</sup> The Commission's web site will remain available, but with reduced content and limited search capabilities. The Commission will remain open and under normal operations during this period, including the headquarters filing window and mail room. The FCC's 24/7 Operations Center will remain open and available at (202) 418-1122. FCC telephones will work but voicemail will not, and most Commission staff will not have access to e-mail.<sup>2</sup> We anticipate that all systems will again be available starting at 8 a.m. on Tuesday, September 8, 2015, and will issue another Public Notice when the systems are again operational.

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<sup>1</sup>All of the Commission's electronic database systems will be unavailable, other than NORS, CHC, and DIRS, during this period. The systems unavailable during the upgrade period, include, among others, the Universal Licensing System (ULS), the Electronic Comment Filing System (ECFS), the Electronic Document Management System (EDOCS), the Equipment Authorization System (EAS), the Electronic Tariff Filing System (ETFS), the Experimental Licensing System (ELS), the Consolidated Database System (CDBS), the Licensing and Management System (LMS), the International Bureau Filing System (IBFS/MyIBFS), the Section 43.62 Online Filing System, the Tower Construction Notification System (TCNS), the Antenna Structure Registration System (ASR), the Electronic Section-106 System (E-106), Fee Filer, the Commission Registration System (CORES), and the 911 Reliability Certification System. This unavailability of systems will impact the work of any entities requiring access to such systems and information. For example, Telecommunications Certification Bodies will not be able to upload applications for equipment authorization or issue grants of certification without access to the Equipment Authorization System.

<sup>2</sup> As always, filings should not be made using e-mail, except where the rules provide that e-mail is a permissible method for filing, as, for example, for Freedom of Information Act (FOIA) requests, which may be filed through [FOIA@fcc.gov](mailto:FOIA@fcc.gov). See 47 C.F.R. § 0.461(d)(1)(ii).

*Extension of Filing Deadlines:* Because parties will not be able to make electronic filings, view the contents of any Commission databases, or access other online Commission resources during this window, we are extending the filing deadlines for all regulatory and enforcement filings that fall during this time period, with the exception of NORS filings (which can be made during this period) and those with statutory filing deadlines (see below).<sup>3</sup> Thus, with those exceptions, filings that would otherwise be due on **September 2, 3, 4, or 8, 2015**, will now be due on **Wednesday, September 9, 2015**. Except for the due dates specified herein, we are not automatically extending the deadlines for any other comment or filing periods that will be running during this time period, but requests for extension of time will be considered consistent with the Commission's normal practice.

*Responsive Pleadings:* To the extent the due dates for filings to which reply or responsive pleadings are allowed are affected by this Public Notice, the due dates for reply or responsive pleadings shall be extended by the same number of days. Thus, for example, if comments were originally due on September 3, and reply comments due ten business days later, on September 18, comments would now be due on September 9 and reply comments on September 23. If a pleading is filed on Wednesday, September 2 (before the 6 p.m. shutdown of the electronic filing systems), the due dates for any responsive pleadings will be counted as though the pleading were filed on Wednesday, September 9, to take into account that other parties may not have had access to that pleading until the following week. If a pleading is filed on Tuesday, September 8, even though now due on September 9, the due dates for responsive pleadings would be counted normally – i.e., from the September 8 filing date.

*Statutory Filing Deadlines:* As noted above, the Commission cannot waive statutory filing deadlines such as those associated with petitions for reconsideration. Nonetheless, because of the disruption and uncertainty associated with the suspension and relaunch of Commission filing systems, we will not consider the Commission open for filing of documents with statutory deadlines beginning at 6 p.m. on Wednesday, September 2, until 8 a.m. on Tuesday, September 8. Documents with statutory filing deadlines of September 2, 3, or 4, 2015, may be filed when the Commission's systems are available again, and thus shall be deemed to satisfy the statutory deadlines if filed not later than **Tuesday, September 8, 2015**. 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 have extended the due dates for all filings due during the upgrades period, the Commission will not accept paper filings in lieu of *mandatory* electronic filings from Wednesday, September 2, through Friday, September 4, 2015, whether or not accompanied by a request for waiver of the electronic filing requirement.

*Special Temporary Authority (STA):* Any STAs expiring between September 2 and 8, 2015, are extended to September 9, 2015. Emergency STA requests will be processed through the FCC Operations Center (202-418-1122) while the Commission's electronic dockets and other online resources are unavailable.

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<sup>3</sup> The deadlines for filing petitions for reconsideration of Commission and Bureau orders, for example, are statutory in origin. See 47 U.S.C. § 405. We address the treatment of filings with statutory deadlines below.

*Fee Payments:* The FCC's Fee Filer System will not be available between 6 p.m. on Wednesday, September 2, 2015, and 8 a.m. on Tuesday, September 8, 2015. As a consequence, no regulatory fee or application fee payments can be made through Fee Filer during this period. No deadline for payments of any type (including regulatory fees) is being extended by this Public Notice, except to the extent a payment can *only* be paid through Fee Filer, in which case the applicable due date is extended in the same manner as the due dates for other regulatory filings herein. For any other payments due from 6 p.m. on Wednesday, September 2, 2015, through 8 a.m. on Tuesday, September 8, 2015 (and not already paid by 6 p.m. on Wednesday, September 2, 2015), we expect such payments to be timely made through the use of US Bank. Any payments made through US Bank, such as for civil monetary penalties, miscellaneous debts and installment payments, will continue to be processed by US Bank without delay and will be posted to the FCC financial system effective as of the date paid once normal business resumes on September 8, 2015.

*Earlier Unavailability of Certain Systems.* The following systems will become unavailable at 12:00 a.m. Wednesday, September 2, 2015 (that is, at the end of the day Tuesday, September 1): the Universal Licensing System (ULS) (including E-Pleadings), the Antenna Structure Registration system (ASR), Electronic Section 106 System (E-106), and Tower Construction Notification System (TCNS).<sup>4</sup>

*Other Due Dates:* This Public Notice affects only the due dates for filings with the Commission 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.<sup>5</sup> Likewise, payments owed by winning bidders in Auction 98, which are processed through banking systems and the U.S. Treasury, must be made by or before the previously announced deadlines.

In addition to this Public Notice, Bureaus and Offices may provide further guidance, including by additional Public Notice, to set additional filing deadlines different from those specified in this Public Notice for filings in specific proceedings or classes of proceedings. Whether the Commission's informal 180-day time clock for review of any pending transactions should be suspended during this time will be determined on a case-by-case basis.

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<sup>4</sup> TCNS automatically issues weekly notices every Wednesday, Thursday, and Friday. TCNS will not issue any of those notices on Wednesday, September 2, through Friday, September 4, 2015. Information that would otherwise have been issued on those dates will instead be issued on the following Wednesday, September 9, through Friday, September 11, 2015. To the extent a TCNS notice issued pursuant to this revised weekly schedule triggers a subsequent deadline for another filing or action, that subsequent deadline will be calculated from the date the notice was issued.

<sup>5</sup> Any filings with fund administrators (Universal Service, Telecommunications Relay Services (TRS), North American Numbering Plan) or entities other than the Commission (such as state commissions, U.S. Territorial or Tribal Governments) still must be timely filed with such entity during this time period. If copies of such filings are also required to be filed with the Commission, those copies should be filed with the Commission pursuant to the deadlines established in this Public Notice.

For these purposes, and to the extent necessary, Section 1.4(j) of the Commission's rules, 47 C.F.R §1.4(j), which would otherwise require filings to be made on the first business day of resumed Commission operations, is hereby waived.<sup>6</sup>

Pursuant to 47 C.F.R. § 1.3, and their respective delegated authorities, this Public Notice is issued by the Consumer and Governmental Affairs, Enforcement, International, Media, Public Safety and Homeland Security, Wireless Telecommunications, and Wireline Competition Bureaus and the Offices of Engineering and Technology, General Counsel, Secretary, and Managing Director.

**For media inquiries, contact Office of Media Relations:**

Will Wiquist (202) 418-0509 (office); (202) 763-4710 (mobile); [will.wiquist@fcc.gov](mailto:will.wiquist@fcc.gov)

**The following individuals also will be available to the public to answer legal or Bureau-specific questions:**

Office of the Secretary: (202) 418-0300; [secretary@fcc.gov](mailto:secretary@fcc.gov)

Office of General Counsel: Linda Oliver ([linda.oliver@fcc.gov](mailto:linda.oliver@fcc.gov))

Operations Center: (202) 418-1122

Wireline Competition Bureau: Ian Forbes ([ian.forbes@fcc.gov](mailto:ian.forbes@fcc.gov))

Wireless Telecommunications Bureau: Brian Regan ([brian.regan@fcc.gov](mailto:brian.regan@fcc.gov))

Media Bureau: (202) 418-7200; Ops Center after hours (202) 418-1122

Public Safety and Homeland Security Bureau: Ops Center (202) 418-1122

International Bureau: Thomas Sullivan ([thomas.sullivan@fcc.gov](mailto:thomas.sullivan@fcc.gov))

NORS: John Healy (215) 847-8094

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<sup>6</sup> Although the Commission will not be closed for business during this time period, many 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 C.F.R. § 1.4(j). Rule 1.4(e)(1) defines "holiday" to include any day on which the Commission's headquarters are closed "due to adverse weather, emergency or other closing." 47 C.F.R. §1.4(e)(1).