



# PUBLIC NOTICE

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DA 14-1792  
December 10, 2014

## WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES EFFECTIVE DATE OF REVISED 800 MHZ CELLULAR SERVICE RULES; REMINDS LICENSEES OF CONTINUING OBLIGATIONS

### WT Docket No. 12-40

On November 10, 2014, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking* in which it adopted fundamental, sweeping reforms of rules governing the 800 MHz Cellular (“Cellular”) Service, leading to a vastly streamlined Cellular licensing regime.<sup>1</sup> The revised final rules adopted in the *Report and Order* were published in the *Federal Register* on December 5, 2014.<sup>2</sup> Accordingly, the revised rules will take effect on January 4, 2015, with the exception of revised Sections 22.165(e), 22.948, and 22.953,<sup>3</sup> which require prior approval of the Office of Management and Budget under the Paperwork Reduction Act.<sup>4</sup> To the extent that licensees submit non-compliant or unnecessary filings, such filings will be dismissed if not withdrawn.

*Continuing Obligations of Licensees.* We remind Cellular licensees that they will continue to be subject to all applicable rules, obligations, and conditions of operation, notwithstanding the elimination or modification of certain filing requirements under the revised rules adopted by the *Report and Order*. Key among these continuing obligations are the following:

- Coordination with Canada and Mexico pursuant to Sections 22.169, 22.955, and 22.957;<sup>5</sup>

<sup>1</sup> Amendment of Parts 1 and 22 of the Commission’s Rules with Regard to the Cellular Service, Including Changes in Licensing of Unserved Area (other captions omitted), *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 12-40, RM Nos. 11510 and 11660, FCC 14-181 (rel. Nov. 10, 2014) (“*Report and Order*” and “*Further Notice*,” respectively). A separate Public Notice will be issued once a summary of the *Further Notice* and the proposed rules are published in the *Federal Register*.

<sup>2</sup> See 79 Fed. Reg. 72143 (Dec. 5, 2014).

<sup>3</sup> 47 C.F.R. §§ 22.165(e), 22.948, and 22.953.

<sup>4</sup> See 79 Fed. Reg. 72173 (Dec. 5, 2014) (“Information Collections Being Reviewed by the Federal Communications Commission”). The existing provisions of these three rules will therefore remain in force until a notice is published in the *Federal Register* announcing the effective date of revised Sections 22.165(e), 22.948, and 22.953. See *Report and Order* ¶ 169 (Ordering Clause).

<sup>5</sup> 47 C.F.R. §§ 22.169 (general), 22.955 (Canada), and 22.957 (Mexico). For example, if a licensee operating near the U.S.-Canadian border modifies its existing system to extend into Unserved Area on a secondary basis by less than 50 contiguous square miles, meaning (under the newly adopted rules) that no filing will be made with the Commission, the licensee must nonetheless comply with 47 C.F.R. §§ 22.169 and 22.955.

- Quiet Zone requirements pursuant to Section 1.924<sup>6</sup> (notifications and protection, as applicable), including, but not limited to, notifications to the National Radio Astronomy Observatory site at Green Bank, WV, and the National Radio Research Observatory site at Sugar Grove, WV, for all new *and* modified tower sites;<sup>7</sup>
- Filings and other requirements pursuant to the rules implementing the National Environmental Policy Act of 1969, as amended;<sup>8</sup> and
- Coordination among licensees of channel usage, pursuant to Section 22.907.<sup>9</sup>

The list above is not exhaustive. Licensees are responsible for being aware of, and complying with, any and all applicable rules and requirements of their Cellular Service operations. They should consult with staff of the Wireless Telecommunications Bureau if they have questions about particular rules and requirements that remain in effect.

Action by the Chief, Mobility Division, Wireless Telecommunications Bureau.

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<sup>6</sup> 47 C.F.R. § 1.924.

<sup>7</sup> For example, if a licensee modifies its existing system to extend into Unserved Area on a secondary basis by less than 50 contiguous square miles, meaning (under the newly adopted rules) that no filing will be made with the Commission, the licensee must nonetheless comply with 47 C.F.R. § 1.924(a). Licensees modifying existing sites may not rely on a prior notification made under 47 C.F.R. § 1.924; a new notification is required and must include detailed accurate technical data to reflect the new modification(s).

<sup>8</sup> See 47 C.F.R. Part 1, Subpart I, §§ 1.1301 *et seq.*

<sup>9</sup> 47 C.F.R. § 22.907.