PLEADING CYCLE ESTABLISHED FOR OPPOSITIONS TO APPLICATION FOR REVIEW OF WIRELESS TELECOMMUNICATIONS BUREAU APRIL 10, 2002 LETTER, D.A. 02-857, REGARDING SCHEDULE FOR AUCTION NOS. 31 AND 44

Oppositions Due: May 3, 2002

Notice is hereby given that the Cellular Telecommunications & Internet Association (“CTIA”) has filed an Application for Review dated April 24, 2002 of the April 10, 2002 Wireless Telecommunication Bureau letter regarding the schedule for Auction Nos. 31 and 44.1 In the WTB Letter, the Bureau denied CTIA’s earlier request that Auction Nos. 31 and 44 be delayed beyond the auctions’ scheduled start date of June 19, 2002.

Given the existing schedule for the upcoming auctions,2 good cause exists in this instance to alter the periods specified in Section 1.115 of the Commission’s rules, 47 C.F.R. § 1.115, for the filing of oppositions to the pending Application for Review.3 An expedited pleading schedule will minimize any potential disruptive effect on parties preparing to meet upcoming pre-auction deadlines. Accordingly, oppositions to the Application for Review shall be filed no later than May 3, 2002, and no replies to oppositions will be accepted.

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3 See 47 C.F.R. § 0.331 (authority delegated to Wireless Telecommunications Bureau); 47 C.F.R. § 1.3 (suspension, amendment, and waiver of Commission Rules).
Procedural Matters

Parties submitting oppositions should address the issues raised in the Application for Review in light of the relevant statutory requirements, procedures, and public interest considerations. All responsive filings should reference the docket numbers of the underlying proceedings, i.e., WT Docket No. 99-168, GN Docket No. 01-74, as well as any other underlying proceedings relevant to the filing, e.g., WT Docket No. 02-55.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must reflect the substance of the presentations and not merely list the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission’s rules.


Oppositions may be filed using the Commission’s Electronic Comment Filing System (“ECFS”) or by filing paper copies. Oppositions and replies filed through the ECFS can be sent as an electronic file via the Internet to http://www.fcc.gov/e-file/ecfs.html. Each filing should be submitted into all relevant dockets, e.g., WT Docket No. 99-168, GN Docket No. 01-74, and WT Docket No. 02-55. In completing the transmittal screen, parties should include their full name and Postal Service mailing address. Parties may also submit an electronic filing by Internet e-mail. To get filing instructions for e-mail filings, parties should send an e-mail message to ecrs@fcc.gov, including “get form to <your e-mail address>” in the body of the message. A sample form and directions will be sent in response.

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5 See, e.g., 47 C.F.R. § 1.115.
7 See 47 C.F.R. §§ 1.1200(a), 1.1206.
8 See 47 C.F.R. § 1.1206(b).
9 Id.
Due to the threat of contamination that resulted in the disruption of regular mail, the Commission released on November 29, 2001, an Order, temporarily amending certain procedural rules on an emergency basis. Oppositions must be filed electronically (i.e., by e-mail or facsimile), or by hand delivery to the Commission’s Massachusetts Avenue location.

- If filed electronically by e-mail, oppositions shall be filed at the following e-mail address: 
  WTBSecretary@fcc.gov. Please also copy (CC) Rana Shuler at rshuler@fcc.gov. For security purposes, we recommend that documents filed via e-mail be converted to PDF format.

- If filed by facsimile, oppositions shall be faxed to 202-418-0187. The fax transmission should include a cover sheet listing contact name, phone number and, if available, an e-mail address. In addition to the official filing, please also fax copies to Rana Shuler, Room 4-A628, Legal Branch, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau at (202) 418-0890.

- If filed by hand delivery, oppositions shall be delivered to 236 Massachusetts Avenue, NE, Suite 110, Washington DC 20002. Please address documents to the Secretary, and copies thereof to the attention of Rana Shuler, Room 4-A628, Legal Branch, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau.

- If filed by overnight delivery service (other than U.S. Postal Service Express and Priority Mail), filings must be received at the Commission’s headquarters at 445 12th Street, S.W., Washington, DC 20554. As noted in the October 17 and October 18, 2001 public notices, the Commission will divert those deliveries to the Capitol Heights facility.

  In addition, one copy of each opposition must be delivered to the Commission’s duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, by facsimile (202) 863-2898, or via e-mail at qualexint@aol.com.

FOR FURTHER INFORMATION CONTACT:

Wireless Telecommunications Bureau: Erik Salovaara, (202) 418-0660, e-mail: esalovaa@fcc.gov.

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10 See In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, Order, FCC 01-345 (rel. Nov. 29, 2001)

11 See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, Public Notice, DA 01-2919 (rel. Dec. 14, 2001).