

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
License Acquisitions, LLC ) WT Docket No. 02-55
Request to Rescind ESMR Election - Improving )
Public Safety Communications in the 800 MHz )
Band. )

ORDER

Adopted: July 25, 2018

Released: July 25, 2018

By the Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau:

1. On April 9, 2018, License Acquisitions, LLC (License Acquisitions) submitted via e-mail a petition seeking reconsideration of the Public Safety and Homeland Security Bureau's (Bureau) March 12, 2018 denial of its request to rescind its election under the 800 MHz rebanding program to relocate to the Enhanced Specialized Mobile Radio (ESMR) portion of the band. Because the petition was not properly filed in accordance with Commission rules, we hereby dismiss it.

2. Section 1.106(i) of the Commission's rules provides:

Petitions for reconsideration, oppositions, and replies shall conform to the requirements of §§1.49, 1.51, and 1.52 and shall be submitted to the Secretary, Federal Communications Commission, Washington, DC 20554, by mail, by commercial courier, by hand, or by electronic submission through the Commission's Electronic Comment Filing System or other electronic filing system (such as ULS). Petitions submitted only by electronic mail and petitions submitted directly to staff without submission to the Secretary shall not be considered to have been properly filed.

3. License Acquisitions submitted the petition to the email address PSHSB800@fcc.gov. This email address was established by the Bureau for non-docketed filings relating to 800 MHz rebanding. In the public notice establishing the email address, the Bureau specified that it "does not supersede other formal filing requirements in the Commission's rules," and directed that docketed filings "should continue to be filed in the Electronic Comment Filing System (ECFS) or as otherwise provided in Part 1 of the Commission's rules." Because License Acquisitions failed to file the Petition to Reconsider in conformance with Section 1.106(i), it is improperly filed and we decline to consider it.

1 Letter from Rob Somers, Esq., General Counsel, License Acquisitions, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, April 9, 2018.

2 License Acquisitions, LLC, Request to Rescind ESMR Election, Order, 33 FCC Rcd 2211 (PSHSB 2018).

3 47 C.F.R. § 1.106(i) (emphasis supplied).

4 Public Safety and Homeland Security Bureau Announces Creation of New E-mail Address for Non-docketed 800 MHz Rebanding Filings, Public Notice, 22 FCC Rcd 17704 (PSHSB 2007).

5 Id.

4. Accordingly, the Petition to Reconsider IS DISMISSED.
5. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's rules, 47 CFR §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm  
Chief, Policy and Licensing Division  
Public Safety and Homeland Security Bureau