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FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 18-122, DA 20-536; FRS 16792]

Wireless Telecommunications Bureau Seeks Comment on Joint Petition for Stay of 3.7-4.2 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Wireless Telecommunications Bureau (Bureau) seeks comment on a request that the Commission stay, pending judicial review, the rules adopted in the Report and Order and Order of Proposed Modification, filed by ABS Global Ltd., Empresa Argentina de Soluciones Satelitales S.A., and Hispamar Satélites S.A. and Hispasat S.A. (collectively, the Small Satellite Operators).

DATES: Comments are due on or before May 27, 2020 and reply comments are due on June 1, 2020.

ADDRESSES: You may submit comments and reply comments, identified by GN Docket No. 18-122, by any of the following methods:

- **Electronic Filers:** Elections may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.
- **Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.** All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>

During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

FOR FURTHER INFORMATION CONTACT: Becky Tangren, Wireless Telecommunications Bureau, at Becky.Tangren@fcc.gov or 202-418-7178.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, GN Docket No. 18-122, DA 20-536, released on May 20, 2020. The complete text of this document is available on the Commission's website at <https://www.fcc.gov/document/wtb-seeks-comment-petition-stay-37-42-ghz-band-ro> or by using the search function for GN Docket No. 18-122 on the Commission's ECFS web page at www.fcc.gov/ecfs.

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file elections on or before the date indicated on the first page of this document.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Ex Parte Rules: This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 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). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenters written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the rules or for which the Commission has made available a method of electronic

filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Synopsis

With the document, DA 20-536, the Bureau seeks comment on a request that the Commission stay, pending judicial review, the rules adopted in the *Report and Order*, filed by the Small Satellite Operators.¹ The Small Satellite Operators have challenged the *Report and Order* in the United States Court of Appeals for the D.C. Circuit and seek a stay from the Commission pending judicial review. The Small Satellite Operators sought confidential treatment for certain information contained in the Petition, pursuant to 47 CFR 0.459. Access to confidential information is governed by the policies and procedures established in the *Protective Order* for this proceeding.²

The Bureau seeks comment on the issues raised by the Small Satellite Operators' request for stay.

Federal Communications Commission.

Amy Brett,

Associate Division Chief, Competition and Infrastructure Policy Division,
Wireless Telecommunications Bureau.

¹ Petition for Stay of Report and Order and Order of Proposed Modification Pending Judicial Review, GN Docket No. 18-122, Small Satellite Operators (filed May 15, 2020) (Petition).

² *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, Protective Order, 34 FCC Rcd 7700 (WTB 2019) (*Protective Order*).

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