



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON VERIZON'S PETITION FOR DECLARATORY RULING, OR IN THE ALTERNATIVE PARTIAL WAIVER, OF THE COMMISSION'S C BLOCK LICENSING RULES

WT Docket No. 06-150

Comments Due: April 4, 2019

Reply Comments Due: April 19, 2019

By this Public Notice, the Wireless Telecommunications Bureau seeks comment on a petition for declaratory ruling, or in the alternative a petition for a partial waiver, filed by Verizon on February 22, 2019, in WT Docket No. 06-150, regarding section 27.16(e) of the Commission's C Block licensing rules (the handset locking rule).¹ Specifically, Verizon requests that the Commission declare, pursuant to section 1.2 of the Commission's rules, that the handset locking rule permits Verizon to adopt a temporary, 60-day lock on the 4G LTE handsets it provides, to ensure that the handsets are purchased by bona fide customers.² Verizon currently sells unlocked 4G LTE handsets that can be used on any carrier's compatible 4G LTE network.³ With respect to whether its temporary locking proposal is consistent with the handset locking rule, Verizon asserts that the rule is ambiguous and that clarification is needed.⁴

In the alternative, Verizon asks that to the extent that the Commission declines to issue a declaratory ruling, or the Commission decides that its proposal is inconsistent with the handset locking rule, the Commission grant Verizon a partial waiver of the handset locking rule pursuant to section 1.3 of the Commission's rules.⁵

¹ Verizon Request for Declaratory Ruling, or, in the Alternative, for Partial Waiver, WT Docket No. 06-150 (filed Feb. 22, 2019) (Petition); *see also* 47 CFR § 26.16(e). Verizon states that it filed its Petition in WT Docket No. 06-150 because this is the docket in which the Commission adopted the 700 MHz Upper C Block rule that it is seeking to have interpreted. Petition at 1 n.2; *see also Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, Second Report and Order, 22 FCC Rcd 15289 (2007). To the extent Verizon's request implicates the Commission's waiver rule, Verizon also requests a waiver from the requirement to file FCC Form 601. *See* 47 CFR § 1.925(b). For purposes of its Petition, Verizon notes that "Verizon" also includes Cellco Partnership d/b/a Verizon Wireless.

² 47 CFR §§ 1.2, 27.16(e); *see also* Petition at 1, 11, 20.

³ Petition at 1, 11.

⁴ *Id.* at 11.

⁵ 47 CFR § 1.3; Petition at 1, 20.

We seek comment on these issues and any other issues raised by the Petition.

Filing Requirements. Interested parties may file comments and replies on or before the dates indicated on the first page of this document.⁶ All filings must reference WT Docket No. 06-150. Comments and replies may be filed using the Commission's Electronic Comment Filing System (ECFS).⁷

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <https://www.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 hand or messenger delivery, 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.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - 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.

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁸ 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 presenter's 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 rule 1.1206(b). In proceedings governed by rule 1.49(f) 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.

⁶ 47 CFR § 1.2.

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁸ 47 CFR §§ 1.1200 *et seq.*

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Additional Information. For further information regarding this Public Notice, please contact Betsy McIntyre, Competition and Infrastructure Policy Division, Wireless Telecommunications Bureau, at 202-418-0668 or by e-mail to Elizabeth.McIntyre@fcc.gov.

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