

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054**

In the Matter of)	
)	
Amendment to the Commission's Rules Concerning Effective Competition)	MB Docket No. 15-53
)	
Implementation of Section 111 of the STELA Reauthorization Act)	

To: Office of the Secretary
Attn: Chief, Media Bureau

**PETITION FOR RECONSIDERATION OF NATIONAL ASSOCIATION OF
TELECOMMUNICATIONS OFFICERS AND ADVISORS, NATIONAL ASSOCIATION
OF BROADCASTERS, AND NORTHERN DAKOTA COUNTY CABLE
COMMUNICATIONS COMMISSION**

The National Association of Telecommunications Officers and Advisors, National Association of Broadcasters, and Northern Dakota County Cable Communications Commission, by their counsel, hereby file this Petition for Reconsideration of the *Findings of Competing Provider Effective Competition Following December 8, 2015 Filing Deadline for Existing Franchise Authority Recertification*, released December 17, 2015, DA 15-1441 (“December 17 Order”).

In the December 17 Order, the Media Bureau implemented the Commission’s order in *Amendment to the Commission’s Rules Concerning Effective Competition; Implementation of Section 111 of STELA Reauthorization Act*, Report and Order, 30 FCC Rcd. 6574 (2015) (“*Effective Competition Order*”). The Bureau noted that “[t]he *Effective Competition Order* directed the Media Bureau to issue a public notice at the conclusion of the 90-day timeframe identifying all franchising authorities that file a revised Form 328 as well as those franchising

authorities that are party to one of the above-listed proceedings, and stating its finding of Competing Provider Effective Competition applicable to all other currently certified franchising authorities.” December 17 Order at 2. The December 17 Order made that finding as to all franchising authorities that did not file the revised Form 328, and deemed their certificates to regulate cable operator rates under Section 623 of the Communications Act to have expired. *Id.*

Petitioners have jointly filed a petition for review of the *Effective Competition Order* in the U.S. Court of Appeals for the District of Columbia Circuit in *National Association of Telecommunications Officers and Advisors v. Federal Communications Commission*, No. 15-1295 (D.C. Cir. Aug. 28, 2015). Petitioners here seek reconsideration of the December 17 Order so that the Bureau may vacate its findings of Competing Provider Effective Competition and certificate expirations in the event that the D.C. Circuit sets aside the *Effective Competition Order*. Accordingly, the Bureau may withhold action on this petition for reconsideration until the D.C. Circuit issues a final judgment in the pending petition for review.

Respectfully submitted,

NATIONAL ASSOCIATION OF
TELECOMMUNICATIONS OFFICERS AND
ADVISORS

NATIONAL ASSOCIATION OF
BROADCASTERS

NORTHERN DAKOTA COUNTY CABLE
COMMUNICATIONS COMMISSION

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