

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 15 of the Commission’s)	ET Docket No. 14-165
Rules for Unlicensed Operations in the)	
Television Bands, Repurposed 600 MHz Band,)	
600 MHz Guard Bands and Duplex Gap, and)	GN Docket No. 12-268
Channel 37, and)	
)	
Amendment of Part 74 of the Commission’s)	
Rules for Low Power Auxiliary Stations in the)	
Repurposed 600 MHz Band and 600 MHz)	
Duplex Gap)	
)	
Expanding the Economic and Innovation)	
Opportunities of Spectrum Through Incentive)	
Auctions)	

To: The Commission

**MOTION *NUNC PRO TUNC* FOR LEAVE TO EXCEED THE PAGE LIMIT IN
SECTION 1.429(d) OF THE COMMISSION’S RULES**

GE Healthcare (“GEHC”)¹ hereby motions, *nunc pro tunc*, for leave to exceed the page limit for petitions for reconsideration set forth in Section 1.429(d) of the Federal Communications Commission’s (“Commission” or “FCC”) rules.² GEHC’s Petition for Reconsideration in the above-captioned proceeding (the “GEHC Petition”) addresses complex technical points that could not have fully developed in 25 pages.³ Consideration of the GEHC Petition serves the public interest because the issues at stake involve potential harmful

¹ GEHC is a unit of General Electric Company and provides a broad range of products and services that enable healthcare providers to better diagnose and treat diseases and medical conditions, including products and services that incorporate wireless technology.

² 47 C.F.R. § 1.429(d).

³ GE Healthcare, Petition for Reconsideration, ET Docket No. 14-165, GN Docket No. 12-268 (filed Dec. 23, 2015) (“GEHC Petition”).

interference to “safety-of-life” Wireless Medical Telemetry Service (“WMTS”) systems, which are critical to patient care and hospital operations. Moreover, granting this motion would not unfairly burden opposing parties, who had an ample opportunity to, and did in fact, respond to the GEHC Petition in detail.⁴

The Commission and its bureaus have granted a number of requests to exceed the page limits set forth in Section 1.429 of the Commission’s rules when doing so would serve the public interest.⁵ And the Commission has granted such requests when they were submitted after the pleading in question was filed. For example, the Commission granted Motorola’s *nunc pro tunc* motion and allowed its previously-filed petition for reconsideration to exceed the 25-page limit after finding that the proceeding involved “new and complex issues” and that “the public interest would be well served by full consideration of Motorola’s views on these matters.”⁶

In this case, the reliable operation of safety-of-life WMTS systems is at stake. The FCC has long recognized “the importance of WMTS to patient care” and that these systems serve a “critical function” in hospital operations.⁷ However, the GEHC Petition demonstrates that the FCC adopted separation distances and procedures in the *Part 15 R&O* that in many instances

⁴ See, e.g., Microsoft Corp., Response and Opposition to Petitions for Reconsideration, ET Docket No. 14-165, GN Docket No. 12-268 (filed Feb. 29, 2015) (“Microsoft Opposition”); Google Inc., Opposition to Petitions for Reconsideration, ET Docket No. 14-165, GN Docket No. 12-268 (filed Feb. 29, 2016) (“Google Opposition”).

⁵ See, e.g., *Policies Regarding Mobile Spectrum Holdings et al.*, Order on Reconsideration, 30 FCC Rcd 8635 ¶ 3 n. 11 (2015) (granting T-Mobile USA, Inc.’s Motion for Waiver of Page Limits); *Connect America Fund, et al.*, Order, 26 FCC Rcd 16998, 16999 ¶ 4 (WTB 2011) (“CAF Order”) (granting in part a Joint Motion for Waiver of Page Limits); *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission’s Rules to Facilitate the Provision of Fixed and Mobile Broadband Access et al.*, Order, 20 FCC Rcd 51 (WTB 2005) (granting the Wireless Communications Assoc. Int., Inc.’s Motion for Leave to Exceed Page Limit in Section 1.429(d) of the Commission’s Rules).

⁶ *The Development of Operational, Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010*, Second Memorandum Opinion and Order, 15 FCC Rcd. 16844, 16884 ¶ 89 (2000).

⁷ See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567 ¶ 275 (2014).

will fail to protect these operations from harmful interference. The GEHC Petition identifies a number of material errors in the FCC’s decision, and the public interest would be well-served by its full consideration.

Additionally, the GEHC Petition addresses many technical and engineering issues related to the methodology used to develop the WMTS separation distances and the Commission’s geolocation/database scheme as a whole.⁸ Addressing these issues required substantial technical explanation, and, rather than lay out supporting material in an appendix or supplemental filings, GEHC integrated them into the body of its Petition. By doing so, GEHC was able to make its arguments and data more accessible to Commission staff and stakeholders by presenting them in one convenient location.

Similarly, when the Commission allowed petitions for reconsideration of the *USF/ICC Transformation Order* to exceed 25 pages, it found that an extended page limit was warranted because “[t]he length of the [order] and complexity of issues presented may require greater discussion than the typical Commission order.”⁹ In this instance, the *Part 15 R&O*, of which GEHC seeks reconsideration, is 186 pages, including all appendices and attachments.¹⁰ The *Part 15 R&O* also must be considered within the broader context of the FCC’s 600 MHz Incentive Auction proceeding, which contains numerous orders and orders on reconsideration. Moreover, the issues addressed in the GEHC Petition include complex engineering issues that were absent from the *USF/ICC Transformation Order*.¹¹

⁸ See GEHC Petition.

⁹ *CAF Order*, 26 FCC Rcd at 16999 ¶ 4.

¹⁰ *Amendment of Part 15 of the Commission’s Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37*, Report and Order, 30 FCC Rcd 9551 (2015) (“*Part 15 R&O*”).

¹¹ See *id.*

Finally, no party has provided compelling reasons why the Commission should not consider the GEHC Petition in its entirety on its merits. No party that filed an opposition to the GEHC Petition argues that they were unable to fully address the substantive issues raised by GEHC in their opposition.¹² In fact, no party even argues that the Commission should dismiss or deny the GEHC Petition based on its length.¹³

For the foregoing reasons, GEHC requests that FCC grant this motion *nunc pro tunc* and consider the GEHC Petition in its entirety on its merits.

Respectfully submitted,

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¹² Both Microsoft and Google note that GEHC and the WMTS Coalition exceeded the page limit, however neither asserts that they had been prejudiced in any way by this fact. *See, e.g.*, Microsoft Opposition at 2; Google Opposition at 3 n.2.

¹³ *See id.*