

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

In the Matter of)	
)	
Biennial Regulatory Review -- Amendment of)	
Parts 0, 1, 13, 22, 24, 26, 27, 80,)	WT Docket No. 98-20
87, 90, 95, 97, and 101 of the Commission's Rules)	
to Facilitate the Development and Use of the)	
Universal Licensing System in the Wireless)	
Telecommunications Services)	
)	
Amendment of the Amateur Service Rules to)	WT Docket No. 96-188
Authorize Visiting Foreign Amateur Operators)	
to Operate Stations in the United States)	RM-8677
)	

To: The Commission

PETITION FOR RECONSIDERATION

The Personal Communications Industry Association, Inc. (APCIA),¹ through counsel and pursuant to Section 1.429 of the Commission's Rules, 47 C.F.R. §1.429, hereby respectfully submits a Petition For Reconsideration in the above-captioned.²

¹PCIA is an international trade association representing the interests of both commercial and private users and businesses involved in all facets of the personal communications industry. PCIA's Federation of Councils include: the Paging and Messaging Alliance, the PCS Alliance, the Wireless Broadband Alliance, the Mobile Wireless Communications Alliance, the Site Owners and Managers Association, and the Private System Users Alliance. In addition, PCIA is the FCC-appointed frequency coordinator for the Business Radio Service, the 800 and 900 MHz Business Pools, 800 MHz General Category frequencies, and for the 929 MHz paging frequencies.

²Report No. 2306, released November 23, 1998.

In this proceeding, the Commission has radically changed the manner in which applicants and other parties interface with the Commission. For the first time, in addition to making another change in the Forms that applicants utilize, the FCC is converting to an Internet-based licensing procedure whereby the Commission will eventually eliminate the acceptance of non-electronic applications.

In general, PCIA supports the Commission rules changes. PCIA is pleased that the Commission adopted several of PCIA=s proposals in creating the new licensing system, including the extension of time for private licensees to continue to file non-electronic applications. This is extremely important in light of the current experience with the Commission=s electronic filing system for rule making proceedings. Specifically, many parties have had significant difficulty in downloading comments filed through the Commission=s Electronic Comment Filing System (AECFS≡). For example, downloading the forty Comments filed in RM-9405 (most of which were less than ten pages) recently took over three hours, despite the use of a high-speed, fractional T1 line, because of the repeated need to reload the Commission=s web-site. Also, the Commission has yet to adopt a means by which researchers can determine whether the list of filings in the ECFS for any particular proceeding actually represents all of the filed comments, or whether certain comments have yet to be posted.³

³There have been instances where additional comments have been posted on the ECFS for a proceeding days after the first set of comments, despite the fact that each set of comments was filed on the same day. Although some of the delay can be attributed to electronically filed comments versus manually filed comments, there has even been a delay within each subset.

Although PCIA believes that the changes brought by the implementation of the ULS will be beneficial, PCIA is concerned that one decision made by the Commission in the Report and Order may negatively impact applicants. Specifically, PCIA requests that the Commission reconsider its decision to reduce the amount of time in which returned applications must be refiled to thirty days.⁴ PCIA is troubled by the shorter time frame, particularly with regard to applications which are returned to the frequency coordinator. PCIA has experienced a significant delay in receiving application return notices from the Commission, which reduces the amount of time in which applicants must respond. Once the return notice is received, a lengthy process begins, which requires: (1) the return of the same notice to the applicant; (2) the applicant=s reviewing the problem or issue noted by the Commission and making the appropriate changes (which if it involves a tower location, can involve a significant period of time); (3) refileing with the frequency advisory committee; and (4) refileing by the coordinator with the Commission. Often, this process simply cannot happen within thirty days. Thus, at a minimum, PCIA requests that the Commission extend the return period for coordinated applications to sixty (60) days.

⁴Report and Order, supra at para. 92.

WHEREFORE, the premises considered, it is respectfully requested that the Commission RECONSIDER its decision in the above-captioned rulemaking proceeding and EXTEND the time period in which returned applications must be refiled with the Commission.

Respectfully submitted,

PERSONAL COMMUNICATIONS
INDUSTRY ASSOCIATION

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