

Gathering and analyzing comments from the public is an important part of the Federal Communications Commission's (FCC) rulemaking process. The FCC considers the public's input when developing rules and policies. By submitting comments, the public can take part in developing policies that affect telecommunications and broadcast issues. Following are some FCC-related terms and acronyms and some instructions that will help you in filing comments and understanding the FCC's decision-making processes.

Acronyms and Terms

The FCC issues a **Public Notice (PN)** to inform the public about an action or event. Sometimes a PN invites public comment. When a PN seeks public comment, it generally includes filing deadlines and information on how to file comments.

A person outside of the FCC files a **Petition for Rulemaking (Petition)** to suggest new rules or changes to existing rules. Unless directed otherwise in the FCC's Public Notice seeking comment on the petition, the public has 30 days from the date of the Public Notice to submit comments on whether the FCC should grant or deny the petition. After reviewing the comments received in response to the petition, the FCC issues an **Order** disposing of the petition, a **Notice of Inquiry (NOI)**, or a **Notice of Proposed Rulemaking (NPRM)**. Copies of Petitions for Rulemaking are available for viewing on the FCC's Electronic Comment Filing System (ECFS), and for inspection in the FCC's Reference Information Center, 445 12th Street, SW, Room CY-A257, Washington, DC 20554.

The FCC issues a **Notice of Inquiry (NOI)** to gather facts and information on a particular subject or issue to determine if further action by the FCC is warranted. Typically, an NOI asks questions about a given topic and seeks comments from the public on that topic.

Acronyms and Terms (cont'd.)

The FCC issues a **Notice of Proposed Rulemaking (NPRM)** to propose new rules or changes to existing rules and seek comments on the proposals. A summary of the NPRM is published in the *Federal Register* and announces the deadlines for filing comments and reply comments.

After reviewing the comments received in response to an NPRM, the FCC issues either a **Further Notice of Proposed Rulemaking (FNPRM)** seeking additional public comment on certain issues in the proceeding, or a **Report and Order (R&O)**. An R&O adopts new rules, amends existing rules, or states that there will be no changes. Sometimes the FCC issues a combined R&O and FNPRM. The FCC publishes summaries of FNPRMs and R&Os in the *Federal Register*, and also states when a rule change will become effective. A party can file a **Petition for Reconsideration** within 30 days of the date the summary of an R&O appears in the *Federal Register*. A Petition for Reconsideration formally requests the FCC to modify its ruling.

The FCC adopts an **Order on Reconsideration** in response to a Petition for Reconsideration. It modifies a previous FCC action or states why the action will not be changed.

The FCC may adopt a **Memorandum Opinion and Order (MO&O)** in response to other requests from outside entities, such as petitions for waiver or petitions for forbearance, or when it takes other actions in a proceeding.

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Acronyms and Terms (cont'd.)

An **en banc** hearing is a presentation to the full Commission on specific topics, usually by representatives of interested outside groups. Topics for en banc hearings have included Children's Television, Digital Television, and Broadcast Ownership.

The FCC's **ex parte** rules ensure that all participants in an FCC proceeding have a fair opportunity to learn of the views presented by others in the proceeding. An ex parte presentation is any written or oral communication by an outside party to the Commission, or any Commission staff involved in decision making, directed to the merits or outcome of a proceeding and not served on (mailed or delivered to) all the parties to the proceeding (if written) or of which all the parties have not been given advance notice (if oral). The ex parte rules establish whether, and under what circumstances, ex parte presentations may be made to the FCC. Most rulemaking proceedings are "permit but disclose," meaning that ex parte presentations are allowed as long as copies (or in the case of oral presentations, written summaries) are filed in the record of the proceeding. Certain other proceedings, such as those designated for a hearing and licensing proceedings, are "restricted," meaning that ex parte communications are prohibited unless specifically exempted. You can obtain a copy of the FCC's ex parte rules online at: http://www.fcc.gov/ogc/admain/ex_parte_current.pdf, or by calling the FCC's Office of the Secretary at (202) 418-0300, or (202) 418-2960 (TTY).

Filing Comments

The FCC does not specify a particular format for comments, but it is important to include the docket number or rulemaking number of the proceeding to which the comments relate. You can find this number on the first page of the FCC document or Public Notice opening the proceeding. Your comments should include your name and your views on the subject. Comments may be any length. If comments are more than 10 pages long, you should include a short summary.

Filing Electronically

The FCC's Electronic Comment Filing System (ECFS) allows you to submit comments electronically (via the Internet) for docketed or rulemaking proceedings. Electronic comments must be filed by midnight Eastern Time (ET) on the date of the deadline. Generally, you will file only one copy of an electronic comment, but if you are filing comments in a proceeding that lists multiple docket or rulemaking numbers on its front page, you must transmit one electronic copy of your comments for each docket or rulemaking number shown. Procedures for submitting your comments using ECFS are outlined at <http://www.fcc.gov/cgb/ecfs/gettingstarted.html>. ECFS also allows you to view other comments that have been filed. For assistance using ECFS, send an e-mail to ecfshelp@fcc.gov, or call the ECFS Help Desk at (202) 418-0193, Monday through Friday from 8:30 a.m. to 4:30 p.m. ET.

Additionally, the FCC has created ECFS Express, a simplified comment filing process for consumers that is based on topics, rather than a docket or rulemaking number. ECFS Express lists the topics considered to be of most interest to consumers at <http://fjallfoss.fcc.gov/ecfs/Upload/>. By clicking on a topic, an individual can fill in personal information, write his or her comments, and press send to file the comments. The FCC also participates as a partner in the Electronic Government Online Rulemaking initiative, which allows the public to view current proposed rules published in the *Federal Register* and to submit comments electronically at <http://www.regulations.gov/fdmspublic/comment/main>.

Filing in Paper Format

You may file print copies of written comments until 7 p.m. ET on the deadline date. Type comments in 12 point or larger font, or write legibly. Include a contact name, address, and phone number in your comments.

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Filing in Paper Format (cont'd.)

Cover letters are not necessary. If your comments are confidential, label **each** page "Not for Public Inspection" or "Confidential" in the upper right-hand corner. You must also explain why you believe the filing is entitled to confidentiality. When filing print copies of written comments, the FCC requires an original (with an original signature) and four copies. If you want your comments to be distributed to the Commissioners, the FCC requires an original and nine copies. If you are filing comments in a proceeding that lists multiple docket or rulemaking numbers on its front page, you must submit two additional copies for each referenced docket or rulemaking number. Each copy must be individually stapled. Use a rubber band, binder clip, or paperclip to hold the whole package together.

You may either mail or hand-deliver print copies of written comments. Hand delivered filings for the Commission's Secretary are accepted **only** at the following location: 236 Massachusetts Ave., NE, Suite 110, Washington, DC 20002.

The hours of operation are from 8:00 a.m. to 7:00 p.m. ET. Commercial overnight mail, other than U.S. Postal Service Express mail and Priority mail, must be addressed to: 9300 East Hampton Drive, Capitol Heights, MD 20743.

Comments sent through the U.S. Postal Service should be addressed to:

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-B204
Washington, DC 20554.

Filing for People with Disabilities

People with disabilities filing comments in non-print formats, for example, Braille, audio, or sign language video, should include a contact name, address, and phone number. Always reference the docket or rulemaking number when filing in Commission proceedings. Providing a print copy will expedite processing. If you have questions about access for people with disabilities, send an e-mail to FCC504@fcc.gov or call 1-888-CALL-FCC (voice), or 1-888-TELL-FCC (TTY).

Questions

If you have questions about filing comments, contact the FCC's Office of the Secretary at (202) 418-0300 (voice), or (202) 418-2970 (TTY).

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For this or any other consumer publication in an alternative format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on <http://www.fcc.gov/cgb/contacts/>.

This fact sheet is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

12/11/06* - cpb

