



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES NEW PROCEDURES FOR FILING PART 22 OFFSHORE RADIOTELEPHONE SERVICE APPLICATIONS IN UNIVERSAL LICENSING SYSTEM (ULS) STARTING JULY 1, 1998

Part 22 ORTS Licensees Encouraged to Use New ULS Application Forms and Electronic Filing Procedures as of July 1, 1998; Special Instructions Provided for Part 22 ORTS Licensees Filing Renewal Applications in July 1 - August 1, 1998 Filing Window

On July 1, 1998, the Wireless Telecommunications Bureau will commence use of the Universal Licensing System (ULS) for all licensing in the Part 22 Offshore Radiotelephone Service (ORTS).¹ ULS is a new interactive licensing database that has been developed by the Bureau to consolidate and replace the eleven existing licensing systems that are currently used to process applications and grant licenses in wireless services. ULS has previously been used to process long form applications following the 800 MHz SMR and LMDS auctions, and to process Part 22 Paging and Radiotelephone Service applications.² We encourage ORTS licensees and applicants to take advantage of the many innovative features of the new system, although to ensure a smooth transition, licensees and applicants will continue to have the option of using current forms and manual filing procedures after the conversion to ULS.

ULS will provide significant benefits for ORTS licensees, applicants, and the public, including fast and easy electronic filing, improved data accuracy through automated checking of applications, and enhanced electronic access to licensing information. Specifically, the use of ULS will result in the following significant changes for ORTS licensees and applicants:

- New ULS forms (Forms 601, 603, and 604) may be used for electronic filing of ORTS applications, modifications, notifications, and transfer and assignment requests.³
- ORTS licensees who are due to file renewal applications in the July 1 - August 1, 1998 filing window will be able to file electronic renewal applications quickly and easily in ULS. This Public Notice provides detailed instructions for filing such applications electronically using Form 601.⁴ ORTS licensees may not, however, renew electronically using FCC Form 900.
- Although we encourage use of the new ULS forms, ORTS applicants and licensees may continue to file applications, renewals, modifications, notifications, and transfer and assignment requests manually on current forms (*e.g.*, Forms 600, 490, 405).
- In order to file applications and update licensing information in ULS, ORTS licensees must register their Taxpayer Identification Numbers (TINs) and select a user password in ULS. For licensees who have not yet registered their TINs and selected a password, this Public Notice provides instructions for doing so.⁵

See Part 22, Subpart I of the Commission's rules, 47 CFR § 22.1001 *et seq.*

See "Wireless Telecommunications Bureau Announces New Procedures for Filing Part 22 Paging Applications in Universal Licensing System (ULS) Starting July 1, 1998," *Public Notice*, May 22, 1998.

See Attachment A for instructions on electronic filing.

See Attachment B for specific instructions on electronic filing of ORTS renewal applications.

See Attachment A for instructions on TIN registration.

■ All existing licensing data for this service, which has previously been contained in the Bureau's CLM database, will be transferred to the ULS database, and all ORTS applications filed on or after July 1, 1998 will be entered into the ULS database and processed through ULS. As of July 1, 1998, the ORTS licensing database will be available to the public through ULS.⁶ Licensing data regarding this service will no longer be updated in the CLM database.

The procedural changes announced in this Public Notice only affect Part 22 Subpart I ORTS. Application and processing procedures for other Part 22 services (Cellular, Rural Radio, BETRS, Air-Ground) are not affected at this time. These and other wireless services will be converted to ULS at a later date. Information regarding such conversions will be provided by future public notice and will be posted on the Commission's ULS Internet home page (<http://www.fcc.gov/wtb/uls>).

The development of ULS is also the subject of a *Notice of Proposed Rulemaking* in WT Docket No. 98-20, adopted by the Commission on February 19, 1998.⁷ The ULS forms and procedures announced in this Public Notice are for interim purposes and are potentially subject to future modification based on the outcome of the ULS rulemaking. We encourage all interested parties to participate in the rulemaking so that we can continue to improve ULS and ensure its responsiveness to customer needs.

Form 601 Filing Procedures

For ORTS applicants and licensees, FCC Form 601 (OMB Approval Number 3060-0798) will be available as of July 1, 1998, and may be used as of that date to file ORTS-related applications, amendments, modifications, and requests for special temporary authority (STAs).⁸ Form 601 may also be used to request a waiver or extension of time in conjunction with an ORTS application or license. Form 601 may also be used in lieu of Form 405 for renewal applications (see instructions below) and Form 489 for notifications.

Applicants are encouraged to file Form 601 electronically. Therefore, in order to immediately bring the full benefits of online filing to the public, the Bureau hereby waives the requirements of Section 22.105 of the Commission's rules, 47 C.F.R. § 22.105, to the extent that it requires filing of Forms 405, 489, or 600 by ORTS applicants. This waiver is conditioned on the timely filing of a Form 601 in lieu of one of the above forms. For instructions on registering in ULS and filing Form 601 electronically, see Attachment A. Applicants may also file Form 601 manually. For instructions on manual filing, see Attachment D. All ORTS applicants and licensees must register their TINs in ULS (see below) and submit them with their applications regardless of whether they file electronically or manually.

Online Renewal Procedures For ORTS Licensees

ORTS renewal applications may be filed electronically in ULS, and the Bureau encourages licensees to take advantage of this process. Licensees should note that FCC Form 900, our online renewal form for non-ULS services, is not part of the ULS and ORTS licensees will not be able to renew their licenses via Form 900.

Because the ULS will eventually be used by all wireless applicants, the Bureau wishes to unify renewal procedures for each radio service to the greatest extent possible. For this reason, the Bureau hereby waives the requirements of Section 22.145 of the Commission's rules, 47 C.F.R. § 22.145, to the extent that licensees may file timely renewal applications no earlier than thirty days prior to, and including, the expiration dates of their authorizations. For ORTS, licensees may file timely renewal applications between July 1 and August 1, 1998. Early or late-filed renewals will be dismissed as defective pursuant to 47 C.F.R. § 22.128(f).

See Attachment C for instructions on searching for application and license information in ULS.

Amendment of Parts 0, 1, 12, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of a Universal Licensing System in the Wireless Telecommunications Services, *Notice of Proposed Rulemaking*, WT Docket No. 98-20, FCC 98-20 (adopted July 19, 1998; released March 18, 1998 (*ULS NPRM*)).

ORTS applicants filing applications before July 1, 1998 should not use Form 601.

Online renewal in ULS can be accomplished in a few easy steps. See Attachment B for specific instructions on filing renewal applications online.

Transfer and Assignment Applications

For ORTS applicants and licensees, FCC Form 603 (Application for Assignment of Authorization, OMB Approval Number 3060-0800) and Form 604 (Application for Transfer of Control, OMB Approval Number 3060-0797) will be available as of July 1, 1998, and may be used as of that date in lieu of Form 490 to file applications for assignment of license or transfer of control, respectively.⁹ Accordingly, the Bureau hereby waives the requirements of Section 22.105 of the Commission's rules, 47 C.F.R. § 22.105, to the extent that it requires filing of Form 490 by ORTS licensees seeking approval of assignments or transfers. This waiver is conditioned on the timely filing of Form 603 or 604, as appropriate, in lieu of Form 490. Forms 603 and 604 may be filed electronically or manually. For instructions on electronic filing, see Attachment A. For instructions on manual filing, see Attachment D.

ORTS licensees who are filing notifications of *pro forma* assignments or transfers pursuant to the Commission's recent forbearance order may continue to use the letter notification procedures described in that order¹⁰ In addition, starting July 1, 1998, licensees may provide such notification by filing Form 603 or 604, as appropriate, within 30 days of consummation of the *pro forma* assignment or transfer. Whether notification is by form or by letter, no fee will be required for submission of such notification.

Beginning July 1, ORTS licensees filing applications for partial assignments (*e.g.*, application to assign some but not all sites associated with a call sign) must submit an attachment describing the details of the partial assignment. This description must contain all information necessary to completely describe the proposed partial assignment (*e.g.*, call sign(s), location(s), and frequency(s)). This requirement to file an attachment is temporary. We will issue a public notice when partial assignment information can be directly entered into ULS.

In the event that a transfer or assignment transaction involves both ORTS licenses and licenses in other wireless services that have not yet been converted to ULS, the applicant will need to file separate applications for the ORTS and non-ULS-based licenses, with the non-ULS application(s) filed on existing forms.¹¹ This requirement is temporary until the databases for all wireless services have been converted to ULS. In the interim, applicants who file ORTS transfer and assignment applications in ULS and non-ULS applications for a common transfer or assignment transaction are encouraged to contact the Bureau's Commercial Wireless Division (202-418-0620) ahead of time to coordinate the application and approval process.

Under Section 22.137(a) of the Commission's rules, 47 CFR § 22.137(a), an assignee or transferee of a Part 22 license must file a report qualifying it as a common carrier (FCC Form 430) unless a current report is already on file with the Commission. The Commission has proposed to replace Form 430 with new ULS Form 602 for collection of ownership information.¹² However, Form 602 is still in development and is not currently available. Therefore, assignees and transferees of Part 22 paging licenses should continue to file Form 430 with the Office of the Secretary in accordance with Section 22.137(a) until further notice.

TIN Registration

ORTS applicants filing assignment or transfer applications before July 1, 1998 should use Form 490.

Federal Communications Bar Association's Petition for Forbearance from Section 310(d) of the Communications Act Regarding Non-Substantive Assignments of Wireless Licenses and Transfers of Control Involving Telecommunications Carriers, *Memorandum Opinion and Order*, FCC 98-18 (adopted February 4, 1998; released February 4, 1998).

For example, a licensee seeking to assign ORTS licenses and cellular licenses may use Form 603 for the ORTS licenses, but must file Form 490 for cellular licenses because cellular has not yet been converted to ULS. Similarly, a licensee seeking to assign point-to-point microwave licenses must file Form 490.

ULS NPRM, para. 45.

As mandated by the Debt Collection Improvement Act of 1996, the Commission has required existing wireless licensees, including ORTS licensees, to register their Taxpayer Identification Numbers in ULS, and most licensees have completed this process.¹³ If you are an ORTS licensee who has not yet registered your TIN in ULS, you must do so before you can file applications or update licensing information in ULS. This applies whether or not you are filing electronically using ULS forms or are filing pre-ULS forms manually. To protect licensee privacy, registered TINs will not be made available to the public. However, TIN information may be released to the U.S. Treasury Department for purposes of compliance with the Debt Collection Act.

You may register your TIN electronically in ULS by going to the FCC's Internet site at "<http://www.fcc.gov/wtb/uls>" and clicking on the "ULS Call Sign Registration" link. Detailed instructions for electronic filing are set forth in Attachment A. If you choose to file your TIN registration manually, FCC Form 606 (TIN Registration Form) can be obtained from the Internet at <http://www.fcc.gov/formpage.html>, by calling the FCC's Form Distribution Center at 1-800-418-FORM (3676), or from the FCC's Fax-on-Demand service by calling (202) 418-0177 from the handset of a fax machine (follow the prompts and use document retrieval number 000606).

See "Wireless Telecommunications Bureau Universal Licensing System Registration Now Available," *Public Notice*, November 4, 1997.

The completed Form 606 should be mailed to:

Federal Communications Commission
Information Technology Division
Attention: Department CD
1270 Fairfield Road
Gettysburg, PA 17325-7245

Continued Use of Pre-ULS Application Forms

The Bureau encourages ORTS applicants to immediately begin taking advantage of the speed and ease in filing offered by ULS. However, in order to provide a smooth transition to ULS, the Bureau will continue to accept manually-filed applications from ORTS licensees and applicants on FCC Forms 600, 490, 489, and 405, as well as informal letter requests. No decision on the phasing out of these forms will be made until the adoption of an order in the ULS rulemaking proceeding. During this transition period, we remind applicants using non-ULS forms they they must include their TIN on the application so that the data can be entered into ULS.

Application Fees

Applicants using ULS to file electronically remain subject to existing application fees where applicable under current rules. ULS, however, will simplify the process of submitting fees to the Commission and greatly reduce the potential for insufficient fees to be submitted. When an applicant submits its application online, ULS will assign a file number and will pre-fill fee information on FCC Form 159, including the correct fee amount due and the payment type code. ULS will then allow the applicant to print a copy of the application as submitted, and instruct the applicant on how to print out the pre-filled Form 159 so that it can be mailed to Mellon Bank. ULS will instruct the applicant to mail the Form 159 and fee to the appropriate Mellon Bank address. The Form 159 and accompanying fee must be received by Mellon within 10 business days of filing the application.¹⁴ In the near future, ULS will be capable of accepting credit card payments online. The Bureau will release a public notice and provide information on its website when this option becomes available.

Section 1.1111 of the Commission's Rules, 47 C.F.R. § 1.1111, requires applications and fees to be submitted as a single package and states that the Commission will not be responsible for matching fees and applications submitted separately. In the *ULS NPRM*, the Commission proposed to amend this requirement to provide for the filing of applications online and fees separately, via mail. In order to immediately bring the full benefits of online filing to the public, the Bureau hereby waives the requirements of Section 1.1111 to the extent that ORTS applicants filing electronically via ULS may remit fees separately via U.S. mail or courier. This waiver is conditioned on the appropriate fee amount being received at Mellon Bank, at the address specified to the applicant by the ULS, within 10 business days from the receipt date shown on the application. Applications filed online that do not conform with the conditions of this waiver will be dismissed as defective.

In our May 22, 1998, *Public Notice* we instructed Part 22 Paging licensees to remit fees within 5 days. We are now revising our instructions to ULS filing Part 22 Paging and ORTS) to allow 10 days for fees to reach Mellon Bank.

For Further Information or Assistance

For general information about ULS, and for answers to frequently asked questions regarding submitting applications, remitting fees, finding the status of pending applications, and searching the ULS database, we recommend that you first consult the ULS webpage at <http://www.fcc.gov/wtb/uls>. Those having specific questions that are not addressed on the webpage may contact Commission staff via phone or e-mail as described below.

FCC Technical Support Headline -- (202) 414-1250. Contact Technical Support if you have questions about accessing ULS from your computer, registering your TIN, uploading files, or submitting attachments in ULS. The FCC Technical Support Headline is available Monday through Friday, from 9 a.m. to 6 p.m. ET. In order to provide better service to ULS users and ensure the security of the electronic filing system, all calls to the FCC Technical Support Headline are recorded.

ULS Licensing Support -- (202) 418-7ULS (418-7857) or via e-mail at bwoodwar@fcc.gov. Contact Licensing Support if you have questions about which application purpose(s) are appropriate for a particular filing, what information is being requested on a ULS Form or Schedule, or any other licensing matter related to ULS. ULS Licensing Support will be available Monday through Friday, from 8:30 a.m. to 4 p.m. ET.