



# PUBLIC NOTICE

Federal Communications Commission  
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DA 14-84  
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## WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR COMPLETE WAIVER OF 17.47(b) OF THE COMMISSION'S RULES

WT Docket No. 10-88

Comment Date: February 14, 2014  
Reply Comment Date: February 21, 2014

On September 17, 2013, American Tower Corporation (“ATC”) filed a request for a complete waiver of Section 17.47(b) of the Commission’s Rules, 47 C.F.R. § 17.47(b) (“*ATC Waiver Request*”).<sup>1</sup> Section 17.47(b) provides that the owner of any antenna structure that is registered with the Commission and has been assigned lighting specifications pursuant to Part 17 “[s]hall inspect at intervals not to exceed 3 months all automatic or mechanical control devices, indicators, and alarm systems associated with the antenna structure lighting to insure that such apparatus is functioning properly.”<sup>2</sup> ATC was previously granted a partial waiver of the rule, permitting it to make annual rather than quarterly inspections, predicated on its use of its robust, continuous remote tower monitoring system.<sup>3</sup> In its waiver request, ATC argues that “[a] complete waiver would relieve ATC of its existing obligation to make annual on-site inspections of towers, an obligation that no longer serves any discernable purpose, and would further the public interest by encouraging other tower owners to implement technologically advanced monitoring systems.”<sup>4</sup> By this Public Notice, we invite interested parties to file comments on the above Request for Waiver filed by ATC. We note that the Commission has released a Notice of Proposed Rulemaking seeking comment on proposed changes to Part 17 of the Commission’s rules and any determination regarding the above Request for Waiver is subject to any rule changes that the Commission may promulgate in that proceeding.<sup>5</sup>

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<sup>1</sup> In the Matter of American Tower Corporation Request for Waiver of 47 C.F.R. § 17.47, Request for Waiver, dated and filed September 17, 2013 (*ATC Waiver Request*).

<sup>2</sup> 47 C.F.R. § 17.47(b).

<sup>3</sup> In the Matter of Requests of American Tower Corporation and Global Signal, Inc., to Waive Section 17.47(b) of the Commission’s Rules, WT Docket No. 05-326, *Memorandum Opinion and Order*, 22 FCC Rcd 9743 (2007).

<sup>4</sup> *ATC Waiver Request* at 1.

<sup>5</sup> In the Matter of Amendments to Modernize and Clarify Part 17 of the Commission’s Rules Concerning Construction, Marking and Lighting of Antenna Structures, WT Docket No. 10-88, RM 11349, *Notice of Proposed Rulemaking*, 25 FCC Rcd 3982, 75 FR 28517 (2010).

A copy of the waiver request can be found in the docket file. Pursuant to sections 1.415 and 1.419 of the Commission's rules<sup>6</sup> interested parties may file comments and reply comments on or before the dates indicated above. All such filings should refer to **WT Docket No 10-88**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties that choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Michael C. Smith, by e-mail to [michaelc.smith@fcc.gov](mailto:michaelc.smith@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Documents are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Spectrum and Competition Policy Division, Wireless Telecommunications Bureau Contact: Michael C.

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<sup>6</sup> 47 C.F.R §§ 1.415, 1.419.

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