



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU ADVISORY

FEDERAL AVIATION ADMINISTRATION TO STREAMLINE NOTAM SYSTEM; IMPROVED PROCESS FOR WIRELESS INFRASTRUCTURE

In coordination with the FCC's Wireless Telecommunications Bureau (Bureau) and other federal stakeholders, the Federal Aviation Administration (FAA) has developed plans to streamline its processes related to Notices to Airmen (NOTAMs), which identify towers with extinguished or faulty lighting. Under FCC rules, tower owners are generally required to notify the FAA within 30 minutes of discovering a lighting outage or malfunction, and they must take steps to repair the faulty lighting as rapidly as practicable.¹ The planned change will enable tower owners to self-select the amount of time their NOTAMs remain active.

Background

Under the current system, tower owners notify the FAA of outages by completing a web-based form maintained by the FAA's US NOTAM Office.² Submissions result automatically in the issuance of NOTAMs that expire after 15 days. In some cases, however, 15 days is not enough time to repair the faulty lighting that prompted the NOTAM in the first place. As a result, tower companies currently bear the burden of repeatedly cancelling and resubmitting NOTAMs when repairs are not complete. This process creates additional burdens for FAA and FCC staff who process and monitor the submissions, and the proliferation of electronic submissions could hamper aviation efficiency and, at extreme levels, raise concerns for aviation safety.

¹ Part 17 of the Commission's rules require antenna structure owners to register structures that meet certain criteria and to exercise primary responsibility for painting and lighting them. In particular, Section 17.48 of the rules, as recently amended, generally requires tower owners to report lighting outages or improper functioning to the FAA within 30 minutes of discovering them. *See* 47 C.F.R. § 17.48.

² The web-based system is available at <https://aim.faa.gov/dnotam/>.

NOTAM Process Improvement

To address these issues and bring greater efficiencies to the process for all stakeholders, the FAA's US NOTAM Office intends to revise its web-based NOTAM submission system to enable tower owners to self-select the amount of time they will need to repair a faulty light. This change will relieve tower owners of the often burdensome ministerial obligation to cancel and resubmit NOTAMs. The Bureau expects this improvement to take effect in mid-January 2015.

Tower Owner Obligations

While the change will allow tower owners to self-select the repair deadline, every outage should be corrected as soon as possible, and the FCC and FAA will respond aggressively if they discover tower owners are abusing a system designed to protect aviation safety. FCC staff will continue to monitor the NOTAM referrals they receive from the FAA. Among other things, FCC staff may investigate cases where a tower owner selects an unusually long time period to make a repair, where multiple NOTAMs appear to have been submitted for a single tower within a relatively short period of time, where a tower owner repeatedly fails to cancel NOTAMs after repairs are complete, or where other circumstances suggest a need for closer scrutiny.

Wireless Infrastructure Process Improvements

The change to the NOTAM process reflects the Commission's commitment, shared with its Federal Agency partners, to update and rationalize the processes that FCC licensees must follow, particularly in the area of wireless infrastructure. Wherever possible and appropriate, the Commission is eliminating or reforming outdated requirements and processes. In August 2014, for example, the Commission reformed its Part 17 rules, substantially modernizing tower lighting requirements while preserving aviation safety.³ Two months later, in October 2014, the Commission released a Report and Order that brings dramatic new efficiencies to wireless infrastructure deployment by reforming Federal, State, local and Tribal review processes.⁴ In addition, the Bureau has begun discussions with key stakeholders to develop even more efficient review processes for deployments of small-cell and distributed antenna systems. The Bureau has also started working with tower owners, federal partners, and State and Tribal historic preservation officials to address thousands of towers that are currently unavailable for collocation because of issues related to historic preservation review under the National Historic Preservation Act. Finally, the Bureau has worked with the Advisory Council on Historic Preservation and other stakeholders to develop a Program Comment that has tailored the historic preservation review process for positive train control facilities in the railroad rights-of-way, and the Bureau has taken other actions to facilitate its own environmental review processes for these poles.⁵

³ 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, *Report and Order*, 29 FCC Rcd 9787 (2014).

⁴ Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, WT Docket No. 13-238, *Report and Order* (rel. Oct. 21, 2014) (*available at* https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-153A1.pdf).

⁵ Wireless Telecommunications Bureau Announces Adoption of Program Comment to Govern Review of Positive Train Control Wayside Facilities, WT Docket No. 13-240, *Public Notice*, 29 FCC Rcd 5340 (WTB 2014); *see generally* <http://www.fcc.gov/encyclopedia/positive-train-control-ptc>.

FURTHER INFORMATION: For information on the Commission's role in tower siting and lighting, please visit the Wireless Telecommunications Bureau website at <http://www.fcc.gov/wireless-telecommunications-bureau>. For additional information, contact Dan Abeyta at (202) 418-1538 (phone) or Dan.Abeyta@fcc.gov (e-mail) or Lynette Jamison, US NOTAM Policy and Operations, at 540.422.4761 (phone) or Lynette.jamison@faa.gov (e-mail)

Issued by: Chief, Wireless Telecommunications Bureau

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